

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

**APPLICATION NO. A/YL-KTN/1242**

|                           |                                                                                                                                   |
|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| <b><u>Applicant</u></b>   | : Mr. TSOI Tak Lee represented by Goldrich Planners and Surveyors Limited                                                         |
| <b><u>Site</u></b>        | : Lots 921 (Part), 924 (Part) and 925 (Part) in D.D. 109 and Adjoining Government Land (GL), Kam Tin North, Yuen Long             |
| <b><u>Site Area</u></b>   | : About 1,522m <sup>2</sup> (including GL of about 395m <sup>2</sup> (about 26%))                                                 |
| <b><u>Lease</u></b>       | : Block Government Lease (demised for agricultural use)                                                                           |
| <b><u>Plan</u></b>        | : Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11                                                                |
| <b><u>Zoning</u></b>      | : “Agriculture” (“AGR”)                                                                                                           |
| <b><u>Application</u></b> | : Proposed Temporary Public Vehicle Park (excluding Container Vehicle) and Associated Filling of Land for a Period of Three Years |

**1. The Proposal**

- 1.1 The applicant seeks planning permission for temporary public vehicle park (excluding container vehicle) and associated filling of land for a period of three years at the application site (the Site), which falls within an area zoned “AGR” on the OZP (**Plan A-1a**). According to the covering Notes of the OZP, temporary use or development of any land not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). Filling of land in the “AGR” zone also requires planning permission from the Board. The Site is currently fenced-off, vacant and largely hard-paved (**Plans A-2 to A-4b**).
- 1.2 The Site is accessible from Kong Tai Road via local tracks (**Plans A-1 to A-3**). According to the applicant, the proposed use involves 38 parking spaces, including 34 for private car and four for light goods vehicle. No structure will be erected within the Site. The applicant also applies for regularisation of filling of land for the entire Site with concrete of about 0.2m in depth (raising the site level to about 22.8mPD) for site formation and vehicle manoeuvring space (**Drawing A-2**). Peripheral fencing of about 2.5m in height will be erected along the site boundary on all sides to minimise potential nuisance. No container vehicle/tractor, vehicle exceeding 5.5 tonnes or vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations will be allowed to enter or be parked/stored at the Site. No open storage activities, car beauty service, vehicle repairing, dismantling or other

workshop activities will be carried out, and no public announcement system, whistle blowing or portable loudspeaker will be involved at the Site at all times. The operation hours will be 24 hours daily, including Sundays and public holidays. Plans showing the site layout and land filling area submitted by the applicant are on **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 28.5.2026 (**Appendix I**) and 4.6.2026
- (b) Further Information (FI) received on 8.7.2026\* (**Appendix Ia**)
- (c) FI received on 20.7.2026\* (**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**, and can be summarised as follows:

- (a) the proposed use at the Site serves to meet the parking demand of local residents and business operators in Tai Kong Po area. The temporary nature of the application will not frustrate the long-term planning intention of the “AGR” zone. The proposed use is not incompatible with the surrounding areas and there are similar applications approved in the vicinity of the Site;
- (b) sufficient space will be provided for vehicles to manoeuvre smoothly within the Site and the proposed use will generate infrequent trips. Adverse traffic impacts are not anticipated; and
- (c) regarding the Lands Department (LandsD)’s concerns on lease breaches, the applicant clarifies that there is currently no structure erected within the Site.

## **3. Compliance with the ‘Owner’s Consent/Notification’ Requirements**

The applicant is not a ‘current land owner’ but has complied with the requirement 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 publishing notices in local newspapers and sending notice to the Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion of the Site, the ‘Owner’s Consent/Notification’ requirements are not applicable.

## **4. Background**

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

## 5. **Previous Application**

There is no previous application at the Site.

## 6. **Similar Applications**

There are 10 similar applications for temporary vehicle park (including three renewals of planning approvals granted; seven with filling of land/pond; and one also involving storage use) within the same “AGR” zone in the vicinity of the Site in the past five years. All these applications were approved with conditions by the Rural and New Town Planning Committee (the Committee) between 2022 and 2026 mainly on the considerations that the proposed/applied use on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone; the proposed/applied use was not incompatible with the surrounding areas; and the relevant government departments consulted generally had no adverse comments or their concerns and public comments, if any, could be addressed by approval conditions. Details of the similar applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

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

7.1 The Site is:

- (a) accessible from Kong Tai Road via local tracks; and
- (b) currently fenced-off, vacant and largely hard-paved.

7.2 The surrounding areas are rural in character with an intermix of open storage/storage yards, residential structures, workshop, farms, grassland and vacant land (**Plans A-2 and A-3**). The village settlements of Tai Kong Po are to the east of the Site across a stream.

## 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 for the “AGR” zone, as filling of land 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 departments as set out in paragraphs 9.2 and 9.3 below, other 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, if any, are provided at **Appendices III** and **IV** respectively.

9.2 The following government department supports the application:

**Traffic**

9.2.1 Comments of the Commissioner for Transport (C for T):

- (a) supports the application from traffic engineering perspective to address the local demand; and
- (b) advisory comments are at **Appendix IV**.

9.3 The following government departments do not support or have adverse comments on the application:

**Land Administration**

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

- (a) has adverse comments on the application;
- (b) the Site comprises GL and Old Schedule Agricultural Lot(s) held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government;
- (c) no permission is given for occupation of GL (about 395m<sup>2</sup> subject to verification) included in the Site. Any occupation of GL without Government's prior approval is an offence under the Land (Miscellaneous Provisions) Ordinance (Cap. 28);
- (d) LandsD has reservation on the application since there is/are unauthorized structure(s) on Lot Nos. 921 and 924 in D.D. 109 which is/are already subject to lease enforcement actions according to the case priority. The lot owner(s) should rectify/apply for regularisation on the lease breaches as demanded by LandsD; and
- (e) advisory comments are at **Appendix IV**.

**Agriculture and Nature Conservation**

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

- (a) does not support the application from agricultural perspective as the Site possesses potential for agricultural rehabilitation;
- (b) the Site falls within the "AGR" zone, and is generally vacant with some vehicles. The agricultural activities are active in the vicinity,

and agricultural infrastructures such as road access and water source are also available. The subject site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc.; and

- (c) no comment on the application from nature conservation perspective.

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

On 5.6.2026, the application was published for public inspection. During the statutory public inspection period, 11 public comments were received from Kadoorie Farm and Botanic Garden Corporation and individuals objecting to the application, mainly on the grounds that the Site has been paved before obtaining planning permission and there is occupation of GL at the Site; the application is not in line with the planning intention of the “AGR” zone; drainage and fire service installations proposals should be submitted at the planning application stage for review by the public and the Committee; and the proposed use will cause adverse traffic, environmental, drainage, ecological and fire safety impacts on the surrounding areas (**Appendix V**).

## **11. Planning Considerations and Assessments**

- 11.1 The application is for proposed temporary public vehicle park (excluding container vehicle) and associated filling of land for a period of three years at the Site zoned “AGR” (**Plan A-1**). Whilst 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, according to the applicant, the proposed use can meet the parking demand of local residents and business operators in Tai Kong Po area and C for T supports the application as it could help address the local parking demand. 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 Filling of land in the “AGR” zone requires planning permission from the Board 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 planning perspectives respectively. 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 is recommended should the Committee decide to approve the application.
- 11.3 The proposed use is considered not incompatible with the surrounding areas which are rural in character with an intermix of open storage/storage yards, residential structures, workshop, farms, grassland and vacant land. Besides, the applicant will erect peripheral fencing of about 2.5m in height along the site boundary on all sides to minimise potential nuisance and no container vehicle/tractor or vehicle exceeding 5.5 tonnes, open storage, car beauty service, dismantling, vehicle repairing or other workshop activities will be involved at the

Site at all times. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective and considers that the proposed use is not incompatible with the landscape setting in the proximity and significant adverse landscape impact arising from the proposed use is not anticipated. DAFC has no comment on the application from nature conservation perspective.

- 11.4 Other relevant government departments consulted, including the Chief Highway Engineer/New Territories West of Highways Department and Director of Fire Services, have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' to minimise any potential environmental nuisance caused by the proposed use. Regarding DLO/YL, LandsD's concerns on the unauthorized structure(s) and/or uses(s) on the concerned lots within the Site, the applicant will be advised to liaise with LandsD on the land administration matter should the Committee approve the application.
- 11.5 There are 10 approved similar applications within the same "AGR" zone in the vicinity of the Site in the past five years as mentioned in paragraphs 6 above. Approving the current application is in line with the Committee's previous decisions.
- 11.6 Regarding the public comments as mentioned in paragraph 10, the departmental comments and planning assessments above are relevant.

## **12. Planning Department's View**

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10 above, PlanD 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 24.7.2029. The following conditions of approval and advisory clauses are also suggested for Members' reference:

### Approval conditions

- (a) only private cars and light goods vehicles, as proposed by the applicant, shall be parked on the Site at any time during the planning approval period;
- (b) 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 24.1.2027;
- (c) in relation to (b) 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 24.4.2027;

- (d) in relation to (c) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (e) if any of the above planning condition (a) 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;
- (f) if any of the above planning condition (b) or (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; and
- (g) upon expiry of the planning permission, the reinstatement of the site, including the removal of hard paving and fill materials 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 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 28.5.2026 and 4.6.2026

|                           |                                          |
|---------------------------|------------------------------------------|
| <b>Appendix Ia</b>        | FI received on 8.7.2026                  |
| <b>Appendix Ib</b>        | FI received on 20.7.2026                 |
| <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 Comments                          |
| <b>Drawing A-1</b>        | Site layout plan                         |
| <b>Drawing A-2</b>        | Land filling plan                        |
| <b>Plan A-1</b>           | Location plan with similar applications  |
| <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  
JULY 2026**