

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTS/1138

- Applicant** : Hao Kee Civil Engineering Limited represented by Goldrich Planners and Surveyors Limited
- Site** : Lots 1892 S.AO, 1892 S.AR, 1892 S.AS, 1892 S.AU (Part), 1892 S.AV, 1892 S.AX and 1892 S.AZ (Part) in D.D. 106 and Adjoining Government Land (GL), Kam Tin South, Yuen Long
- Site Area** : About 636m² (including GL of about 58m² (9.1%))
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/15
- Zoning** : “Village Type Development” (“V”)
[restricted to a maximum building height of 3 storeys (8.23m)]
- Application** : Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of Five Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary public vehicle park (excluding container vehicle) for a period of five years at the application site (the Site), which falls within an area zoned “V” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “V” zone, ‘Public Vehicle Park (excluding container vehicle)’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently partially fenced-off, covered by overgrown vegetation and erected with some temporary structures (**Plans A-2 and A-4**).
- 1.2 The Site abuts Pat Heung Road (**Plans A-1 to A-3**). According to the applicant, the proposed use will provide 16 car parking spaces (including 15 for private car and one for light goods vehicle) to serve the nearby local residents. No structure will be erected and no car beauty services, vehicle repairing, dismantling or other workshop activities will be carried out at the Site at all times. Sufficient manoeuvring space will be provided within the Site to avoid vehicles turning back to the local access road. No vehicles exceeding 5.5 tonnes, including container tractors/trailers, or vehicles without valid license issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations, will be allowed to be parked/stored on or enter/exit the Site, and no public announcement systems,

whistle blowing or portable loudspeaker will be allowed within the Site at all times. Metal fencing of 2.5m in height will be erected along the site boundary to minimise potential nuisance to the surrounding areas. The operation hours will be 24 hours daily, including Sundays and public holidays. The layout plan submitted by the applicant is at **Drawing A-1**.

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

- (a) Application Form with attachments received on (**Appendix I**)
28.5.2026
- (b) Further Information (FI) received on 14.7.2026* (**Appendix Ia**)

** 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 at **Appendix I**, and can be summarised as follows:

- (a) The proposed use can help meet the parking demand of the nearby local residents. It is also not incompatible with the surrounding areas.
- (b) There are similar applications in the same or other “V” zones approved by the Rural and New Town Planning Committee (the Committee) of the Board in 2024, and their planning circumstances are relevant to the current application.
- (c) The proposed use will not cause adverse visual, landscape, traffic, environmental, drainage and fire safety impacts on the surrounding areas. Sufficient space will be provided for vehicles to manoeuvre smoothly within the Site. The applicant will also strictly follow the ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ (‘CoP’) issued by the Environmental Protection Department and comply with all environmental protection/pollution control ordinances.
- (d) Upon approval of the application, the applicant will remove the structures within the Site and submit to the Lands Department (LandsD) the necessary application for Short Term Tenancy as appropriate for implementing the proposed use.

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

The applicant is not the “current land owner” of the Site 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 obtaining consents from the current land owners. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, 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

The Site is not the subject of any previous application.

6. Similar Applications

There are two similar applications (No. A/YL-KTS/1017 and 1039) for temporary public vehicle park with or without shop and services use within/straddling the same “V” zone in the vicinity of the Site in the past five years, which were both approved with conditions by the Committee in 2024 mainly on the considerations that the temporary approval would not frustrate the long-term planning intention; the proposed use was not incompatible with the surroundings; and the concerned government departments consulted in general had no adverse comment or their concerns could be addressed by relevant approval conditions. Details of the similar applications are summarised at **Appendix II** and the locations are shown on **Plan A-1**.

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

7.1 The Site:

- (a) abuts Pat Heung Road; and
- (b) is currently partially fenced-off, covered by overgrown vegetation and erected with some temporary structures.

7.2 The surrounding areas are rural in character comprising mainly the village settlements of Tin Sam Tsuen, low-rise residential developments including Royal Crest (尖峰), Cornwell Garden (港威豪園) and The Prestige (偉賢薈), scattered residential structures, an animal boarding establishment (with valid planning permission), parking of vehicles, active farmland, grassland and a pond.

8. Planning Intention

The planning intention of the “V” zone is to reflect existing recognised 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. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on ground floor of a New Territories Exempted House (NTEH). Other commercial, community and recreational uses may be permitted on application to the Board.

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 in **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 for parking spaces; and
- (b) advisory comments are at **Appendix IV**.

9.3 The following government department has adverse comment on the application:

Land Administration

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

- (a) has adverse comment on the application;
- (b) the Site comprises GL and Old Schedule Agricultural Lots 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 the occupation of GL (about 58m² as mentioned in the applicant's submission) included in the Site. Any occupation of GL without Government's prior approval is an offence under Cap. 28;
- (d) the following irregularities have been detected:

Unauthorised structure(s) within the private lot(s) covered by the application

LandsD has reservation on the application since there is/are unauthorized structure(s) and/or uses on Lot No. 1892 S.AO in D.D. 106 which is already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularization on the lease breaches as demanded by LandsD;

- (e) there are no Small House applications approved or under processing at the Site; and

- (f) advisory comments are at **Appendix IV**.

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, no public comment was received.

11. Planning Considerations and Assessments

11.1 The application is for proposed temporary public vehicle park (excluding container vehicle) for a period of five years at the Site zoned “V” (**Plan A-1**). Whilst the proposed use is not entirely in line with the planning intention of the “V” zone, according to the applicant, the proposed use is intended to meet the parking demand of the nearby local residents. In this regard, C for T supports the application as it could address the local demand for parking spaces. Besides, DLO/YL, LandsD advises that there is no Small House application approved or under processing at the Site. It is considered that approving the application on a temporary basis would not frustrate the long-term planning intention of the “V” zone. Taking into account the above and the planning assessments below, there is no objection to the proposed use on a temporary basis of five years.

11.2 The proposed use is considered not incompatible with the surrounding areas which are rural in character comprising mainly village settlements of Tin Sam Tsuen, low-rise residential developments, scattered residential structures, an animal boarding establishment, parking of vehicles, active farmland, grassland and a pond. 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.

11.3 Regarding DLO/YL, LandsD’s concerns on the unauthorised structures within the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application. The applicant also commits to removing the temporary structures within the Site and following up with the necessary application for STT to LandsD upon approval of the application. Other concerned government departments consulted, including the Chief Engineer/Mainland North of Drainage Services Department, Director of Environmental Protection, Director of Fire Services and Chief Highway Engineer/New Territories West, Highways Department have no objection to or no adverse comment on the application. To address the technical requirements of the concerned departments, relevant approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the revised ‘CoP’ to minimise any potential environmental nuisance caused by the proposed use on the surrounding areas.

11.4 There are two approved similar applications within/straddling the same “V” zone in the vicinity of the Site in the past five years as mentioned in paragraph 6 above.

Approving the current application is in line with the Committee's previous decisions.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 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 five years until 24.7.2031. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the submission of a run-in/out proposal within **6** months from the date of planning approval to the satisfaction of the Director of Highways and the Commissioner for Transport or of the Town Planning Board by 24.1.2027;
- (b) in relation to (a) above, the implementation of the run-in/out proposal within **9** months from the date of planning approval to the satisfaction of the Director of Highways and the Commissioner for Transport or of the Town Planning Board by 24.4.2027;
- (c) 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; and
- (d) in relation to (c) 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;
- (e) in relation to (d) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) if the above planning condition (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), (c) and (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 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 is not in line with the planning intention of the “V” zone, which is primarily intended 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 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
Appendix Ia	FI received on 14.7.2026
Appendix II	Similar Applications
Appendix III	Government Departments’ General Comments
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
JULY 2026**