

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-TKLN/124

- Applicant** : Wong Kee Engineering Limited represented by Lawson David & Sung Surveyors Limited
- Site** : Lots 1343 RP (Part) and 1356 RP in D.D. 78 and Adjoining Government Land (GL), Lin Chuk Road, Ta Kwu Ling North
- Site Area** : About 2,582m² (including GL of about 85m² or 3.3% of the Site)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ta Kwu Ling North Outline Zoning Plan (OZP) No. S/NE-TKLN/2
- Zoning** : “Recreation” (“REC”)
- Application** : Proposed Temporary Green Fuel Station for Electric Private Vehicles with Ancillary Facilities for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary green fuel station for electric private vehicles with ancillary facilities for a period of three years at the application site (the Site) falling within an area zoned “REC” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently fenced-off and covered with vegetation.
- 1.2 The Site is accessible via a local access road leading to Lin Chuk Road (**Plan A-2**). According to the applicant, the proposed use comprises 25 spaces for private vehicles (2.5 (W) x 5m (L) each), including 22 fee-paying charging spaces equipped with quick electric vehicle (EV) chargers with an output power of 100kW, two waiting spaces for charging facilities and a parking space for staff. Five single-storey structures of not more than 3m to 3.5m in height and a total floor area of about 425m² for a transformer and switch room, a site office, a washroom and two open-sided shelters covering the charging spaces will be provided. The remaining area is reserved for holding of private vehicles and vehicle manoeuvring. Prior reservation will be required. Only EVs (except for staff use) are permitted to enter the Site for charging purposes. Vehicles will be asked to leave promptly after charging is completed. No vehicle without valid licence issued under the Road Traffic Ordinance will be allowed to enter or park at the Site. The proposed use would not involve vehicle washing, repairing, dismantling, paint spraying and other workshop activities at the Site. A 2.5m high chain-link fence will be erected along the boundary of the Site and septic tank will be provided to treat the sewage generated. All

existing trees at the Site will be felled. The operation hours are 24 hours daily, including public holidays. The layout plan submitted by the applicant is shown in **Drawing A-1**.

- 1.3 The applicant proposes traffic management measures including provision of revolving lanterns, waiting spaces and holding area for EVs, and deployment of staff at the ingress/egress to advise drivers not to queue up outside the Site when the charging spaces are full to ensure pedestrian safety and manage traffic. The applicant has also submitted a drainage proposal in support of the application. The submitted drainage plan is shown in **Drawing A-2**.
- 1.4 In support of the application, the applicant has submitted the following documents:
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|--|----------------------|
| (a) Application Form received on 6.3.2026 | (Appendix I) |
| (b) Further Information (FI) received on 1.6.2026 [#] | (Appendix Ia) |
| (c) FI received on 17.6.2026* | (Appendix Ib) |
| (d) FI received on 24.7.2026* | (Appendix Ic) |
- [#]accepted but not exempted from the publication and recounting requirements
^{*}accepted and exempted from the publication and recounting requirements
- 1.5 On 17.4.2026 and 24.7.2026, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer making a decision on the application for two months each as requested by the applicant.

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 Ic**, as summarised below:

- (a) the Site is located close to several villages. The proposed use can serve the local villagers/residents and meet the demand for EV charging facilities in the areas. It is also in line with the Government's initiative to expand the EV charging network and promote EV usage in Hong Kong;
- (b) the proposed use is temporary in nature and would not jeopardise the long-term planning intention of the "REC" zone. The Site is located within the project boundary of the New Territories North (NTN) New Town. The applicant agrees to vacate the Site when it is resumed for development of NTN New Town;
- (c) the proposed use is not incompatible with the surrounding land uses. The proposed structures at the Site are small in scale and in keeping with the character of the overall landscape. Approval of the application would not result in any interface problems with the surrounding areas;
- (d) there are no old or valuable trees at the Site. The applicant confirms that there is currently no pond at the Site and no diversion of stream will be involved;
- (e) the proposed use would not have a significant traffic impact. No adverse drainage impact on the surrounding area is anticipated. Drainage facilities will be provided within the Site to collect and discharge surface run-off. Also, the applicant will follow the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' ('COP') and will undertake environmental mitigation measures. The applicant will follow the Professional Persons Environmental Consultative Committee Practice Notes 1/23 'Drainage Plans subject to Comment by the Environmental Protection Department -

Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations' to prevent any water pollution. In addition, the proposed charging facilities will be provided through a separate, dedicated source, and will not affect the electricity consumption of villagers. Fire safety equipment in accordance with relevant requirements and standards will be installed. The applicant will adopt good site practices during the construction and operation stages; and

- (f) the applicant will demolish the unauthorised structures within the Site and apply for Short Term Waiver (STW) for the proposed structures and Short Term Tenancy (STT) for occupation of GL upon obtaining planning approval.

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 Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by publishing newspaper notice and posting site notice. Detailed information would be deposited at the meeting for Members' inspection. For the GL portion, the 'Owner's Consent/Notification' Requirements under TPB PG-No. 31B 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 Application

There is no similar application within the same "REC" zone in the vicinity of the Site in the past five years.

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

7.1 The Site is:

- (a) currently fenced-off and covered with vegetation; and
- (b) accessible via a local access road leading to Lin Chuk Road.

7.2 The surrounding areas are of rural character comprising mainly village houses, active and fallow agricultural land and vacant land. Heung Yuen Wai Highway and the village cluster of Chuk Yuen are located to the immediate west and further east of the Site respectively (**Plan A-1**).

8. **Planning Intention**

The planning intention of the “REC” zone is primarily for low-density 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 low-density recreational developments may be permitted subject to planning permission.

9. **Comments from Relevant Government Bureau/Departments**

9.1 Apart from the government departments as set out in paragraphs 9.2 and 9.3 below, other government bureau/departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and the recommended advisory clauses are provided at **Appendices II** and **III** respectively.

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

Land Administration

9.2.1 Comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD):

- (a) he has adverse comments 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. The proposed ingress/egress of the Site is required to pass through GL but no right of access via GL is granted to the Site;
- (c) no consent is given for inclusion of GL (about 85m²) as mentioned in the Application Form in the Site;
- (d) the following irregularities covered by the planning application have been detected by his office:

unauthorised structures within Lot 1356 RP in D.D. 78 covered by the planning application

LandsD has reservation on the planning application since there are unauthorised structures at Lot 1356 RP in D.D. 78 which are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/regularise the lease breaches as demanded by LandsD;

unlawful occupation of GL adjoining Lots 1343 S.B and 1343 S.C in D.D. 78 covered by the planning application

part of the GL within the Site has been fenced-off and illegally occupied with unauthorised structure without any permission. Any occupation of GL without Government's prior approval is an offence under Cap. 28. His office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice. Besides, part of a footpath on GL is included in the Site which is not acceptable;

- (e) if the planning application is approved, the lot owners shall apply to his office for STW and STT to permit the structures erected within the said private lots and occupation of the GL. The applications for STW and STT will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The STW, if approved, will be on whole lot basis and the STW/STT, if approved, will be subject to such terms and conditions including the payment of back-dated waiver fee/rent from the date when the GL was first enclosed/the unauthorised structures on private lots were first detected and administrative fee as considered appropriate by LandsD. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered; and
- (f) erection of unauthorised structures and illegal occupation of GL should not be encouraged. The lot owners/applicant should remove all the unauthorised structures and rectify the occupation of GL immediately.

9.3 The following government department provides views on the application:

Traffic

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

- (a) she has no comment on the application;
- (b) taking into consideration the location of the Site and the proposed use, should the application be approved, approval conditions on implementation and maintenance of the traffic management measures, as proposed by the applicant, should be included; and
- (c) her advisory comments are at **Appendix III**.

10. Public Comments Received During Statutory Publication Periods

On 13.3.2026 and 5.6.2026, the application was published for public inspection. During the statutory public inspection periods, 23 comments were received (**Appendix IV**). 21 comments from Ta Kwu Ling District Rural Committee, Indigenous Inhabitant Representative/Village Representative of Chuk Yuen, Resident Representative of Chuk Yuen, residents of Chuk Yuen and individuals object to the application mainly on the grounds that the proposed use would induce adverse impacts on traffic, pedestrian safety, fire safety, electricity supply, drainage, environment, ecology and visual aspects; the proposed use would generate additional traffic flow and overload the local access road; the proposed use is close to residential dwellings and would affect the living quality and safety of nearby residents; the construction stage of the proposed use would degrade air quality and affect residents' health; the proposed use is intended for future brownfield operations or carpark; there is no justification to approve the application; and the Site falls within the proposed boundary of Priority Development Area (PDA) in NTN New Town and may have land resumption implication. A comment from a member of the North District Council (NDC) expresses concerns on the need for road improvement associated with the application. The remaining comment from another member of NDC indicates no comment on the application.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary green fuel station for electric private vehicles with ancillary facilities for a period of three years at the Site falling within an area zoned “REC” on the OZP. While the proposed use is not in line with the planning intention of the “REC” zone, there is no known proposal for recreational development at the Site. Taking into account the planning assessments below, there is no objection to the application on a temporary basis of three years.
- 11.2 The Site is located in an area of rural character comprising mainly village houses, active and fallow agricultural land and vacant land. Heung Yuen Wai Highway and the village cluster of Chuk Yuen are located to the immediate west and further east of the Site respectively. 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 entirely incompatible with the surrounding environment and significant adverse landscape impact arising from the application is not anticipated.
- 11.3 Other relevant government bureau/departments consulted, including the Secretary for Environment and Ecology, Director of Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department, Director of Agriculture, Fisheries and Conservation, Director of Fire Services and Director of Electrical and Mechanical Services have no objection to or no adverse comment on the application. C for T has no comment on the application and recommends imposing approval conditions on the implementation and maintenance of the traffic management measures as proposed by the applicant, taking into consideration the location of the Site and the proposed use. To address the technical requirements of other 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 ‘COP’ to minimise any possible environmental nuisance. Regarding DLO/N, LandsD’s concerns on the unauthorised structures erected within the Site and illegal occupation of GL, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 11.4 Regarding the public comments as detailed in paragraph 10 above, comments from the government departments and planning assessments above are relevant. For the concern on the land resumption implication, the applicant undertakes to vacate the Site when it is required to be resumed for the Government-initiated works for the PDA in NTN New Town and the relevant advisory clause is recommended.

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, 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 14.8.2029. The following conditions of approval and advisory clauses are suggested for Members’ reference:

Approval Conditions

- (a) the implementation of the accepted 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 14.5.2027;
- (b) in relation to (a) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (c) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 14.2.2027;
- (d) in relation to (c) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 14.5.2027;
- (e) the implementation of the traffic management measures, as proposed by the applicant, within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board by 14.5.2027;
- (f) in relation to (e) above, the implemented traffic management measures shall be maintained at all times during the planning approval period;
- (g) if any of the above planning condition (b) or (f) 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
- (h) if any of the above planning condition (a), (c), (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.

Advisory Clauses

The recommended advisory clauses are at **Appendix III**.

- 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 "REC" zone which is primarily for low-density recreational developments for the use of the general public. 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 6.3.2026
Appendix Ia	FI received on 1.6.2026
Appendix Ib	FI received on 17.6.2026
Appendix Ic	FI received on 24.7.2026
Appendix II	Government Bureau/Departments' General Comments
Appendix III	Recommended Advisory Clauses
Appendix IV	Public Comments
Drawing A-1	Layout Plan
Drawing A-2	Drainage Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4b	Site Photos

**PLANNING DEPARTMENT
AUGUST 2026**