

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-TKL/847

<u>Applicant</u>	: Mr. TSOI Man Po
<u>Site</u>	: Lot 1472 in D.D. 76, Hung Leng, Fanling
<u>Site Area</u>	: About 75m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Ping Che and Ta Kwu Ling Outline Zoning Plan (OZP) No. S/NE-TKL/14
<u>Zoning</u>	: “Open Storage” (“OS”)
<u>Application</u>	: Proposed Temporary Green Fuel Station (Electric Vehicle Charging) for a Period of Four Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary green fuel station (electric vehicle (EV) charging) for a period of four years at the application site (the Site) falling within an area zoned “OS” on the OZP (**Plan A-1**). According to the Notes of the OZP for “OS” zone, ‘Petrol Filling Station’¹ is a Column 2 use requiring planning permission from the Town Planning Board (the Board). The Site is currently formed and vacant.
- 1.2 The Site is accessible via a local track leading to Ping Che Road (**Plan A-2**). According to the applicant, the proposed use involves three parking spaces for private cars (2.5m (W) x 5m (L) each) alongside two chargers (each equipped with two charging plugs) with an output power of 120kW, which are covered by a single-storey structure (3m in height) with a total floor area of about 37.5m² and a rooftop solar panel. No vehicle without valid licence issued under the Road Traffic Ordinance will be allowed to be parked at the Site. No dangerous goods will be stored at the Site and no workshop activities will be conducted at the Site. The vehicular access will be located at the western boundary of the Site. Reservation for the EV charging spaces by a mobile application will be required. Staff will be deployed to direct traffic and traffic signs will be erected. The proposed use will operate 24 hours daily. The layout plan submitted by the applicant is shown in **Drawing A-1**.

¹ According to the Definition of Terms promulgated by the Town Planning Board, the scope of ‘Petrol Filling Station’ has been expanded to cover the supply of electricity to EVs in 2022 and was subsequently renamed as ‘Petrol Filling Station/Green Fuel Station’ in 2024.

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

- | | | |
|-----|---|---------------|
| (a) | Application Form with Attachments received on 28.7.2026 | (Appendix I) |
| (b) | Supplementary Information (SI) received on 31.7.2026* | (Appendix Ia) |
| (c) | Further Information (FI) received on 10.9.2026* | (Appendix Ib) |
| (d) | FI received on 18.9.2026* | (Appendix Ic) |

** accepted and exempted from the 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 FIs at **Appendices I to Ic**, as summarised below:

- (a) the proposed use will meet the demand for EV charging facility in the locality and utilise vacant land. The nature and layout of the proposed use are compatible with the surrounding environment; and
- (b) the proposed use will not produce waste, pollutants or odour, hence impacts on the environment and ecology are not anticipated. The applicant will comply with the approval conditions and guidelines imposed by the Board to minimise potential nuisance to the environment.

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 posting site notice and sending notice to Fanling District Rural Committee (FDRC). Detailed information would be deposited at the meeting for Members’ inspection.

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**

6.1 There is one similar application (No. A/NE-TKL/813) for proposed temporary green fuel station (EV charging station for electric taxi), vehicle repair workshop, shop and services (motor vehicle showroom) and eating place with ancillary office for a period of five years falling within the “OS” zone in the vicinity of the Site in the past five years. The application was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 19.12.2025 mainly on the considerations that the proposed uses were not incompatible with the surrounding areas; and no major adverse departmental comments on the application were received or the concerns of the

relevant government departments could be addressed through imposition of approval conditions.

- 6.2 Details of the similar application are 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) currently formed and vacant; and
- (b) accessible via a local track leading to Ping Che Road.

- 7.2 The surrounding areas are of rural character comprising mainly vehicle repair workshops, storage use/open storage yards, warehouses, parking of vehicles and domestic structures. The village cluster of Hung Leng is located to the further east across Ping Che Road.

8. Planning Intention

The planning intention of the “OS” zone is primarily for the provision of land for appropriate open storage uses and to regularise the already haphazard proliferation of open storage uses. It provides for the orderly development of land for open storage uses that cannot be accommodated in conventional godown premises.

9. Comments from Relevant Government Bureau/Departments

All 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 III** and **IV** respectively.

10. Public Comments Received During Statutory Publication Period

On 4.8.2026, the application was published for public inspection. During the statutory public inspection period, four public comments were received (**Appendix V**). Two comments from the Chairman and 1st Vice-Chairman of FDRC, and the Indigenous Inhabitant Representative and Resident Representative of Hung Leng object to the application mainly on the grounds that the vehicular traffic generated by the proposed use would worsen the traffic condition of Ping Che Road, affect access to the nearby Hung Leng Village, and cause adverse traffic and pedestrian safety impacts; and the operation of 24 hours daily may induce safety concern and nuisance to the residents. The remaining two comments from a member of the North District Council and an individual indicate no comment on the application.

11. Planning Considerations and Assessments

- 11.1 The application is for temporary green fuel station (EV charging) for a period of four years at the Site falling within an area zoned “OS” on the OZP. The proposed use is not entirely in line with the planning intention of the “OS” zone. Taking into account the planning

assessments below, there is no objection to the proposed use on a temporary basis of four years.

- 11.2 The Site, which is currently formed and vacant, is located in an area of rural character comprising mainly vehicle repair workshops, storage use/open storage yards, warehouses, parking of vehicles and domestic structures. 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 and departments consulted, including the Secretary for Environment and Ecology, Chief Engineer/Mainland North of Drainage Services Department, Director of Environmental Protection, Director of Fire Services and Commissioner for Transport, have no objection to or no adverse comment on the application. To address the technical requirements of the concerned department, relevant approval conditions are recommended in paragraph 12.2 below. Should the application be approved, the applicant will be advised to follow the environmental mitigation measures as set out in the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Site' to minimise any possible environmental nuisance.
- 11.4 There is an approved similar application for proposed temporary green fuel station (EV charging station for electric taxi) with other uses for a period of five years falling within the "OS" zone in the vicinity of the Site in the past five years as mentioned in paragraph 6.1 above. The planning circumstances of the current application are largely similar to those of the approved application. Approval of the current application is in line with the Committee's previous decision.
- 11.5 Regarding the public comments on the application as detailed in paragraph 10 above, the comment from government bureau and departments and planning assessments above are relevant.

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 four years until 25.9.2030. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval Conditions

- (a) the compliance with fire safety requirements 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 25.6.2027; and
- (b) if the above planning condition (a) 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 "OS" zone which is primarily for the provision of land for appropriate open storage uses and to regularise the already haphazard proliferation of open storage uses, and provides for the orderly development of land for open storage uses that cannot be accommodated in conventional godown premises. 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 28.7.2026
Appendix Ia	SI received on 31.7.2026
Appendix Ib	FI received on 10.9.2026
Appendix Ic	FI received on 18.9.2026
Appendix II	Similar Application
Appendix III	Government Bureau/Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comments
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
SEPTEMBER 2026**