

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TM-LTY Y/513

<u>Applicant</u>	:	U-Meaty (Frozen Food) Limited represented by Mr. PANG Hing Yeun
<u>Site</u>	:	Lots 1150 S.B and 1150 RP in D.D.130 and Adjoining Government Land (GL), Wong Kong Wai Road, Lam Tei, Tuen Mun
<u>Site Area</u>	:	About 410.57m ² (Includes GL of about 3.31m ² or 1%)
<u>Land Status</u>	:	Block Government Lease (demised for agricultural use)
<u>Plan</u>	:	Approved Lam Tei and Yick Yuen Outline Zoning Plan (OZP) No. S/TM-LTY Y/14
<u>Zonings</u>	:	“Residential (Group C)” (“R(C)”) (about 202.97m ² or 49%); and <i>[Restricted to a maximum plot ratio (PR) of 0.4 and a maximum building height (BH) of 3 storeys (9m) including car park]</i> “Residential (Group D)” (“R(D)”) (about 207.6m ² or 51%) <i>[Restricted to a maximum PR of 0.2 and a maximum BH of 2 storeys (6m)]</i>
<u>Application</u>	:	Temporary Vehicle Repair Workshop with Ancillary Facilities for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary vehicle repair workshop with ancillary facilities for a period of three years at the application site (the Site) falling within areas zoned “R(C)” and “R(D)” on the OZP (**Plan A-1a**). 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 occupied by structures for the applied use without valid planning permission (**Plans A-2 to A-4**).
- 1.2 The Site is accessible from Wong Kong Wai Road (**Plan A-2**). According to the applicant, the structures currently occupying at the Site would be retained and used for the applied use and ancillary facilities including office, E&M, toilet, meeting room, shelter and storeroom. No redevelopment of these structures would be carried out on the Site and no new structures would be erected within the Site. The

applicant also states that the applied use is for repairing private cars only with a maximum capacity of four private cars. No car washing service and no parking and loading/unloading spaces would be provided at the Site. Four employees including three car mechanics and one clerk will work at the Site. Plans showing the site layout and vehicular routing for the Site submitted by the applicant are at **Drawings A-1 and A-2** respectively.

- 1.3 The Site was involved in three previous applications, including one application (No. A/TM-LTYT/482) (**Plan A-1b**) for the same use which was approved by the Rural and New Town Planning Committee (the Committee) of the Board in 2025. However, the planning permission was revoked in 2026 due to non-compliance with time-limited approval conditions. Details of the previous applications are summarised in paragraph 5 below and **Appendix II**. Compared with the previous application, the current application is submitted by the same applicant for the same use at a similar site with some changes in development parameters. A comparison of the major development parameters of the current application and the last approved application is summarised as follows:

Major Development Parameters	Last Approved Application No. A/TM-LTYT/482 (a)	Current Application No. A/TM-LTYT/513 (b)	Difference (b) - (a) (%)
Applied Use	Temporary Vehicle Repair Workshop with Ancillary Office for a Period of 3 Years	Temporary Vehicle Repair Workshop with Ancillary Facilities for a Period of 3 Years	With additional ancillary facilities
Site Area (About)	407.26m ²	410.57m ² (Includes GL of about 3.31m ²)	+3.31m ² (+1%)
Total Floor Area (About)	461.2m ²	323.68m ²	-137.52m ² (-29.8%)
No. of Structures	1 (for vehicle repair workshop, office and toilets)	6 (for vehicle repair workshop and office, E&M, toilet, meeting room, shelter and storeroom)	+5
Height of Structure(s)	2 storeys ¹ (about 7.62m)	1 storey (about 3 – 4m)	-1 storey
No. of Vehicle Repairing Bays	4 (Maximum)		--
Operation Hours	10:00 a.m. to 6:00 p.m. from Mondays to Saturdays (i.e. no operation on Sundays and public holidays)		--

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

(a) Application Form with attachments received on 13.4.2026 (**Appendix I**)

¹ In the previous application, the applicant stated that the structures occupied at the Site would be demolished and a two-storey structure would be built for the applied use.

(b) Supplementary Information (SI) received on 17.4.2026 **(Appendix Ia)**

(c) Further Information (FI) received on 28.7.2026* **(Appendix Ib)**
** accepted and exempted from publication and recounting requirements*

1.5 On 5.6.2025, the Committee agreed to defer making a decision on the application for two months 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, SI and FI at **Appendices I to Ib** respectively. They are summarised as follows:

- (a) the current application is to rectify the site boundary and development parameters of the previously approved development under application No. A/TM-LTYT/482. To support the current application, the applicant has submitted drainage and fire service installations (FSIs) proposals (**Appendix Ib**);
- (b) a Short Term Waiver (STW) for the structures currently occupying at the Site was issued by the Lands Department (LandsD) for factory and warehouse uses in 2000. Due to the change in operational needs, the applicant intends to utilise the structures at the Site for the applied use;
- (c) the applied use is not incompatible with the surrounding areas which are predominantly occupied by logistics and warehouse uses;
- (d) the Site is located at Wong Kong Wai Road which is suitable for vehicle repair workshop;
- (e) there is no adverse traffic impact as all repairing works would be processed within the Site and no operation and/or no parking of vehicles would be taken place outside the Site; and
- (f) as there is no residential use in the proximity, the applied use without generating noise and sewage would not cause adverse impacts on the environment and local residents.

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

For the private land portion, the applicant is the sole ‘current land owner’ of the Site. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, 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) are not applicable.

4. **Background**

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

5. **Previous Applications**

- 5.1 The Site was involved in three previous applications (No. A/TM-LTYY/304, 364 and 482), submitted by the same applicant of the current application. Details of these applications are at **Appendix II** and their locations are shown on **Plan A-1b**.
- 5.2 Application No. A/TM-LTYY/482 for temporary vehicle repair workshop with ancillary office was approved with conditions by the Committee for a period of three years in May 2025 mainly on the considerations that approval of the application on a temporary basis would not jeopardise the long-term planning intentions of the “R(C)” and “R(D)” zones; the applied use was not incompatible with the surrounding land uses; and no objection or adverse comment from concerned government departments. However, the planning permission was revoked in February 2026 due to non-compliance with time-limited approval conditions regarding the submission and implementation of drainage and FSIs proposals.
- 5.3 Applications No. A/TM-LTYY/304 and 364 for proposed temporary industrial use (food processing factory) for a period of three years and for proposed house and minor relaxation of PR and BH restrictions respectively were rejected by the Committee in 2016 and 2019 respectively. The considerations of these previous applications are not relevant to the current application which involves a different use.

6. **Similar Application**

There is no similar application within the same “R(C)” or “R(D)” zones on the OZP for the past five years.

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

7.1 The Site is:

- (a) occupied by the structures for the applied use without valid planning permission (**Plan A-4**); and
- (b) accessible from Wong Kong Wai Road (**Plan A-2**).

7.2 The surrounding areas are rural in character comprising mainly temporary structures for warehouses, open storage yards and parking of vehicles intermixed with scattered residential dwellings, and vacant and unused land. Wong Kong Wai Road and the Kong Sham Western Highway are located to the southwest of the Site (**Plans A-2 to A-4**).

8. **Planning Intentions**

- 8.1 The planning intention of the “R(C)” zone is primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.
- 8.2 The planning intention of the “R(D)” zone is primarily for improving and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board.

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 are provided in **Appendices III and IV** respectively.
- 9.2 The following government department does not support the application:

Land Administration

- 9.2.1 Comments of the District Lands Officer/Tuen Mun, LandsD (DLO/TM, LandsD):
 - (a) he objects to the application from land administration point of view;
 - (b) the Site comprises Old Schedule Agricultural Lots 1150 S.B and 1150 RP in D.D.130 (“the 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 and GL;
 - (c) the Lots were divided from Lot 1150 RP in D.D.130 on 5.11.2020 by Memorial No. 20111201650013 registered in Land Registry. Prior to the above division, STW No. 560 (“the existing STW”) had been issued to Lot 1150 RP in D.D. 130 for the purpose of metalware manufactory. The STW may be terminated by giving three months prior notice;
 - (d) his site inspection conducted in April 2026 revealed that a structure erected on Lot 1150 S.B in D.D. 130 was found for suspected domestic use. The Lots owner should immediately rectify the lease breaches. His office reiterated that any unauthorised structures used for domestic purpose would not be regularised by LandsD according to the prevailing land policy;
 - (e) the following irregularity covered by the application has been detected by his office:

unlawful occupation of GL adjoining the Lots with unauthorised structure(s) covered by the application

the GL within the Site [(about 3.31m² as mentioned in the Application Form) (**Appendix I**)] has been fenced off/illegally occupied with unauthorised structure(s) without any permission. Any occupation of GL without Government's prior approval is an offence under Cap. 28. LandsD objects to the application since there is illegal occupation of GL which regularisation would not be considered according to the prevailing land policy. The Lots owner should immediately cease the illegal occupation of GL and remove the unauthorised structure(s) as demanded by LandsD. His office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice;

- (f) the Site is accessible via a local access on GL leading from Wong Kong Wai Road. His office does not carry out maintenance works for the said GL nor guarantee that any right-of-way to the Site will be given. The applicant shall be responsible for his own access arrangement; and
- (g) to note his advisory comments as detailed in **Appendix IV**.

10. Public Comment Received During the Statutory Publication Period

On 21.4.2026, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual (**Appendix V**) objecting to the application on the grounds that the applied use might entail adverse fire safety and environmental impacts and the applicant failed to comply with previous approval conditions but has not pledged to comply with relevant conditions.

11. Planning Considerations and Assessments

- 11.1 The application is for temporary vehicle repair workshop with ancillary facilities for a period of three years at the Site zoned "R(C)" and "R(D)" on the OZP. Whilst the applied use is not in line with the planning intentions of the "R(C)" and "R(D)" zones, there is no known development proposal at the Site. In this regard, approval of the application on a temporary basis of three years would not jeopardise the long-term planning intentions of the "R(C)" and "R(D)" zones.
- 11.2 The surrounding areas are rural in character comprising mainly temporary structures for warehouses, open storage yards and parking of vehicles intermixed with scattered residential dwellings, and vacant and unused land (**Plans A-2 to A-4**). The applied use is considered not incompatible with the surrounding areas.
- 11.3 Concerned government departments consulted, including the Commissioner for Transport, Director of Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department (CE/MN, DSD) and Director of Fire Services (D of FS) have no objection to or no adverse comment on the application from traffic,

environmental, drainage and fire safety aspects respectively. Should the application be approved, relevant approval conditions are recommended in paragraph 12.2 below to address the technical requirements of the concerned government departments. The applicant will also be advised to observe and follow the environmental measures in the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' and comply with relevant environmental protection and pollution control ordinances.

- 11.4 The Site was involved in a previous application (No. A/TM-LTTY/482) for the same use submitted by the same applicant of the current application, which was approved by the Committee for a period of three years in 2025. However, the planning permission was revoked in 2026 due to non-compliance with time-limited approval conditions. Nevertheless, the applicant states that the current application is to rectify the site boundary and the development parameters of the previously approved application. The applicant has also submitted drainage and FSIs proposals in support of the application and CE/MN, DSD and D of FS have no objection to the application. As such, sympathetic consideration may be given to the current application. The applicant will be advised that should he fail to comply with any of the approval conditions again resulting in revocation of the planning permission, sympathetic consideration may not be given to further applications.
- 11.5 Regarding DLO/TM, LandsD's concerns on the unlawful occupation of GL, the applicant will be advised to liaise with LandsD on the land administration matters should the Committee approve the application.
- 11.6 Regarding the public comment objecting to the application as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.5 are relevant.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 and taking into account the public comment mentioned 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 **25.9.2029**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the submission of a revised 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 **25.3.2027**;
- (b) in relation to (a) above, the implementation of the revised 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 **25.6.2027**;

- (c) in relation to (b) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (d) the submission of a revised 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 **25.3.2027**;
- (e) in relation to (d) above, the implementation of the revised 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 **25.6.2027**;
- (f) 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; and
- (g) if any of the above planning condition (a), (b), (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall be revoked on the same date 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 Member's reference:

the applied use is not in line with the planning intentions of the "Residential (Group C)" and "Residential (Group D)" zones, which are primarily for low-rise and low-density residential developments. There is no strong planning justification in the submission for a departure from the planning intentions, 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 13.4.2026
Appendix Ia	SI received on 17.4.2026
Appendix Ib	FI received on 28.7.2026
Appendix II	Previous Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment
Drawing A-1	Site Layout Plan
Drawing A-2	Vehicular Routing Plan
Plans A-1a and A-1b	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
SEPTEMBER 2026**