

Previous S.16 Application

Approved Application

	Application No.	Uses/Developments	Date of Consideration
1.	A/NE-TKL/747	Proposed Temporary Private Vehicle Park (Excluding Container Vehicles) for a Period of Three Years and Associated Filling of Land	19.7.2024 (Revoked on 19.4.2026)

**Similar S.16 Applications for Temporary Public/Private Vehicle Park
within “Agriculture” and/or “Village Type Development” Zones
in the Vicinity of the Application Site in the Past Five Years**

Approved Applications

	Application No.	Uses/Developments	Date of Consideration
1.	A/NE-TKL/772 ^{\$}	Proposed Temporary Private Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of Three Years and Associated Filling of Land	6.12.2024 (Revoked on 6.6.2025)
2.	A/NE-TKL/797	Proposed Temporary Public Vehicle Park (Private Cars Only) for a Period of Three Years	20.6.2025
3.	A/NE-TKL/817 ^{\$}	Proposed Temporary Private Car Park (Private Cars and Light Goods Vehicles) and Associated Filling of Land for a Period of Three Years	7.11.2025
4.	A/NE-TKL/825	Temporary Public Vehicle Park (Private Cars Only) For a Period of Three Years	6.2.2026

Remarks

^{\$} : Applications No. A/NE-TKL/772 and A/NE-TKL/817 involve the same site.

Government Departments' General Comments

1. Traffic

Comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD):

- no in-principle objection to the application from highways maintenance point of view;
- if the proposed access on Sha Tau Kok Road – Ma Mei Ha is approved by the Transport Department (TD), the applicant should ensure a run-in/out is constructed in accordance with the latest version of HyD Standard Drawings No. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement;
- it is understood from paragraph 4.2.1 of the Planning Statement that the design of the proposed run-in/out will comply with the relevant HyD standard drawings and the design will follow the design proposal of vehicular run-in/out at Appendix 9 of the Planning Statement, which was approved by HyD under the previous application No. A/NE-TKL/747. Given that the proposed access arrangement is approved by TD, he has no comment on the omission of the approval condition on the submission of design of vehicular run-in/out to the application site (the Site); and
- his advisory comments are at **Appendix V**.

2. Drainage

Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

- no objection to the application from public drainage viewpoint;
- as the submitted drainage proposal is identical to that accepted under planning application No. A/NE-TKL/747, the submitted drainage proposal is considered acceptable and the approval condition on the submission of a drainage proposal can be omitted;
- should the application be approved, a condition should be included to request the applicant to implement the drainage proposal accepted under application No. A/NE-TKL/747 for the Site to ensure that the applied use will not cause adverse drainage impact on the adjacent area. The drainage facilities should be properly maintained at all times during the planning approval period;
- the Site is in an area where public sewerage connection is available. The Environmental Protection Department should be consulted regarding the sewage impact assessment and sewage treatment/disposal facilities for the applied use; and
- her advisory comments are at **Appendix V**.

3. Environment

Comments of the Director of Environmental Protection (DEP):

- no objection to the application from environmental planning perspective since no heavy vehicle or dusty operation are involved;
- no comment on the proposed regularisation of filling of land from environmental planning perspective since no further filling of land will be carried out under the application;

- no environmental complaint against the Site was received in the past three years; and
- his advisory comments are at **Appendix V**.

4. **Landscape**

Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

- no adverse comment on the application from landscape planning perspective;
- based on the aerial photo taken in 2024, the Site was located in an area of rural inland plain and miscellaneous rural fringe landscape character comprising village houses, temporary structures, warehouses, car parking areas, farmlands, vegetated areas and tree clusters. The applied use is considered not incompatible with the surrounding environment;
- with reference to the above aerial photo and site photos taken on 18.8.2026, the Site was largely formed. Vehicles were observed within the Site. No trees were found on it. According to the Application Form, no tree felling will be involved; and
- in view of the above, significant adverse landscape impact arising from the application is not anticipated.

5. **Building Matters**

Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- no objection to the application;
- land filling works is building works under the control of the Buildings Ordinance (BO). Before the proposed filling of land is to be carried out on the Site, prior approval and consent of the Building Authority should be obtained, otherwise they are unauthorised building works. An Authorized Person should be appointed as the co-ordinator for the proposed site formation in accordance with the BO; and
- his advisory comments are at **Appendix V**.

6. **Other Departments**

The following government departments have no objection to/no comment on the application:

- (a) Director of Fire Services (D of FS);
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (c) Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD);
- (d) Head of the Geotechnical Engineering Office, CEDD (H(GEO), CEDD); and
- (e) District Officer (North), Home Affairs Department (DO(N), HAD).

Recommended Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the application site (the Site);
- (b) should the applicant fail to comply with the approval conditions again resulting in the revocation of the planning permission, sympathetic consideration may not be given to any further application;
- (c) failure to reinstate the “Agriculture” portion of the Site as required under the relevant approval condition upon expiry of the planning permission might constitute an unauthorized development under the Town Planning Ordinance and be subject to enforcement and prosecution actions;
- (d) to note the comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD) that:
 - (i) the Site comprises 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 Government land (GL) but no right of access via GL is granted to the Site;
 - (ii) the following irregularities not covered by the planning application have been detected by his office:

illegal occupation of GL not covered by the planning application

the GL adjoining Lot 1497 S.B RP in D.D. 76 has been fenced off/illegally occupied without permission. The GL being illegally occupied is not included in the application. The applicant should clarify the extent of the Site. Any occupation of GL without the 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;

according to the photos provided by the applicant, the GL adjoining Lot 1497 S.B RP in D.D. 76 are still fenced off with concrete wall erected. Illegal occupation of GL is not allowed and cannot be regularised under the prevailing policy. The lot owner/occupier/applicant should stop the illegal occupation of GL immediately; and
 - (iii) the lot owner(s) should comply with all the land filling requirements imposed by relevant Government departments. GL should not be disturbed unless with prior approval;
- (e) to note the comments of the Commissioner for Transport (C for T) that no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD) that:
 - (i) the proposed access arrangement of the Site should be commented and approved by the Transport Department (TD);
 - (ii) HyD shall not be responsible for the maintenance of the proposed access connecting the Site (i.e. between Sha Tau Kok Road – Ma Mei Ha and the Site);
 - (iii) if the proposed access on Sha Tau Kok Road – Ma Mei Ha is approved by TD, the applicant should ensure a run-in/out is constructed in accordance with the latest version

of HyD Standard Drawings No. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement; and

- (iv) adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (g) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) the drainage facilities should be rectified if they are found inadequate/ineffective during operation;
 - (ii) the applicant should construct and maintain the proposed drainage facilities whether within or outside the Site at his own expense; and
 - (iii) the Site is in an area where public sewerage connection is available. The Environmental Protection Department should be consulted regarding the sewage impact assessment and sewage treatment/disposal facilities for the applied use;
- (h) to note the comments of the Director of Environmental Protection (DEP) that the applicant should observe the requirements of the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites'; and
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
 - (i) land filling works is building works under the control of the Buildings Ordinance (BO). Before the proposed filling of land is to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained, otherwise they are unauthorised building works (UBW). An Authorized Person (AP) should be appointed as the co-ordinator for the proposed site formation in accordance with the BO; and
 - (ii) the applicant's attention is drawn to the following points:
 - if any existing structure is erected on leased land without the approval of the BA, they are UBW under the BO and should not be designated for any proposed use under the application;
 - for UBW erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with the prevailing enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO;
 - before any new building works (including containers/open sheds as temporary buildings and demolition, etc.) are to be carried out on the Site, prior approval and consent of the BA should be obtained, otherwise they are UBW under the BO. An AP should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - if the proposed use under the application is subject to issue of a license, the applicant should be reminded that any existing structures on the Site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority;
 - any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings and are subject to the control of Part VII of the Buildings (Planning) Regulations; and
 - detailed comments under the BO will be provided at building plan submission stage.

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To : Secretary, Town Planning Board

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax : 2877 0245 or 2522 8426

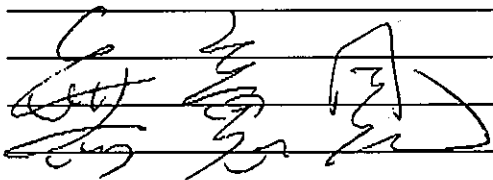
By e-mail : tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates

A/NE-TKL/849

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)



「提意見人」姓名/名稱 Name of person/company making this comment 廖志強議員

簽署 Signature



日期 Date

2026-8-24

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

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To : Secretary, Town Planning Board

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax : 2877 0245 or 2522 8426

By e-mail : tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates

A/NE-TKL/849

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

沒有意見

「提意見人」姓名/名稱 Name of person/company making this comment 葉奕成

簽署 Signature [Signature]

日期 Date 25/8/2016

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年09月05日星期六 0:59
收件者: tpbpd/PLAND
主旨: A/NE-TKL/849 DD 76 Hung Leng Tsuen
類別: Internet Email

Dear TPB Members,

747 approved 19 July 2024, revoked 19 Apr 2026.

The operator appears to be dragging his feet with regard to compliance iwth conditions, to date it appears that only Fire Services is in order.

Applications like this should be given no more than One Year approval in order to focus minds.

It is ridiculous that a small operation like this should generate a 70 page justification.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>; budget <budget@fstb.gov.hk>
Date: Wednesday, 21 February 2024 2:46 AM HKT
Subject: A/NE-TKL/747 DD 76 Hung Leng Tsuen

A/NE-TKL/747

Lots 1497 S.B ss.4 and 1497 S.B RP in D.D. 76, Hung Leng, Fanling

Site area: About 675sq.m

Zoning: "Agriculture" "VTD" and area shown as 'Road'

Applied use: 10 Vehicle Parking

Dear TPB Members,

742 was deferred and here is the other part of the puzzle. The applications should be considered together.

How come the smaller site is for 11 cars and this larger for only 10?

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy ☐Confidential

While it is not an element of the planning process, in view of the significant budget deficit being faced by the administration, this is a good time to question how, and if, the revenue from these village parking sites is being declared.

The tightening of declarations for public housing has resulted in some hundreds of units being surrendered. The government has been far too lax in monitoring abuse and the many operations that evade fiscal oversight. This has placed the burden of paying taxes on those individuals working in sectors where every dollar earned is declared.

FS should cast the net wider.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Thursday, 9 November 2023 3:05 AM HKT
Subject: A/NE-TKL/742 DD 76 Hung Leng Tsuen

A/NE-TKL/742

Lot 1495 S.B ss.2 RP in D.D. 76, Hung Leng, Fanling

Site area: About 275.6sq.m

Zoning: "Agriculture"

Applied use: 11 Vehicle Parking

Dear TPB Members,

The site is an already developed parking lot. What members should question is why there is no application for the adjoining lot being used for a similar operation and also with no record of previous approval.

Is it being operated by the same person/company?

Mary Mulvihill

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy

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tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年09月08日星期二 16:55
收件者: tpbpd/PLAND
主旨: 有關的規劃申請編號 A/NE-TKL/849

類別: Internet Email

致城規會秘書：

我們支持上述規劃申請。孔嶺範圍內沒有足夠供村民有秩序停泊車輛的地方。

敬請備悉。謝謝！

孔嶺居民代表葉水生
(電話：[REDACTED])

孔嶺原居民代表邱為鈞
(電話：[REDACTED])
(電郵：[REDACTED])

2026.09.08