

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TYST/1375

<u>Applicant</u>	:	Exact Win Limited represented by Aikon Development Consultancy Limited
<u>Site</u>	:	Lots 867 S.A RP (Part) and 932 (Part) in D.D. 121, Tong Yan San Tsuen, Yuen Long
<u>Site Area</u>	:	2,475m ² (about)
<u>Lease</u>	:	Block Government Lease (demised for agricultural use)
<u>Plan</u>	:	Approved Tong Yan San Tsuen (TYST) Outline Zoning Plan (OZP) No. S/YL-TYST/14
<u>Zoning</u>	:	“Residential (Group D)” (“R(D)”) (about 74.8%); and <i>[Restricted to a maximum plot ratio of 0.2 and a maximum building (BH) height of 2 storeys (6m)]</i> “Village Type Development” (“V”) (about 25.2%) <i>[Restricted to a maximum BH of 3 storeys (8.23m)]</i>
<u>Application</u>	:	Proposed Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles with Ancillary Electric Vehicle Charging Facilities for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary public vehicle park for private cars and light goods vehicles (LGV) with ancillary electric vehicle charging facilities for a period of three years at the application site (the Site) falling within an area zoned “R(D)” and “V” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “R(D)” and “V” zones, ‘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 paved, fenced-off and vacant (**Plans A-2 to A-4b**).
- 1.2 The Site with ingress/egress at the southern part is accessible from Road D1 constructed under Yuen Long South New Development Area (YLS NDA) via a local track (**Plans A-2 and A-3**). According to the applicant, a total of 60 parking spaces including 59 for private cars (5m x 2.5m each) and one for LGV (7m x 3.5m

each) will be provided (all of them with EV charging facilities). Twelve single-storey structures (not exceeding 4m in height) with a total floor area of about 1,048m² are proposed for rain shelters, charging facilities, guard room, meter rooms and portable toilets (**Drawing A-2**). No car washing, vehicle repairing, inspection, dismantling, paint spraying and other workshop activities will be carried out at the Site. Only private cars and LGV as defined in the Road Traffic Ordinance are allowed to access/park at the Site and no vehicle without valid licenses issued under Road Traffic Ordinance is permitted to park at the Site. The vehicle park will operate 24 hours daily including Sundays and public holidays. Plans showing the vehicular access leading to the Site and site layout submitted by the applicant are at **Drawings A-1** and **A-2** respectively.

1.3 The major development parameters of the application are summarised as follows:

Site Area	About 2,475m ²
Total Floor Area (Non-domestic)	About 1,048m ²
No. and Height of Structures	12 • rain shelters, charging facilities, guard room, meter rooms and portable toilets (not exceeding 4m, 1 storey)
No. of Parking Spaces	Total: 60 59 (for private cars) (5 m x 2.5 m each) 1 (for LGV) (7 m x 3.5 m each)
Operation Hours	24 hours daily

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

- (a) Application Form received on 24.8.2026 (Appendix I)
- (b) Supplementary Planning Statement (SPS) (Appendix Ia)
- (c) Supplementary Information (SI) received on 28.8.2026 (Appendix Ib)
- (d) Further Information (FI) received on 9.10.2026 (Appendix Ic)
[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, SPS, SI and FI (**Appendices I to Ic**). They can be summarised as follows:

- (a) the Site is considered suitable for the proposed use given its close proximity to the newly formed Road D1 of YLS NDA and existing village settlements;

- (b) the proposed use could address parking deficit in Shan Ha Tsuen area by supplying additional parking spaces with charging facilities;
- (c) temporary nature of the proposal would not jeopardise the planning intentions of “R(D)” and “V” zones. The proposed use is considered compatible with the surrounding areas; and
- (d) adverse drainage, traffic and environmental impacts are not anticipated.

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 published notice in local newspaper and sending notice to the Ping Shan Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Background**

The Site is currently not subject to planning enforcement action.

5. **Previous Applications**

The Site was involved in two previous applications (No. A/YL-TYST/358 and 484) for temporary barbecue site and organic farm cum barbecue and leisure activity area respectively, and their considerations are not relevant to the current application which involves a different use. Details of the previous applications are summarised in **Appendix II** and the boundaries of the sites are shown on **Plan A-1**.

6. **Similar Applications**

There are 10 similar applications (No. A/YL-TYST/1161, 1222, 1228, 1249, 1271, 1289, 1307, 1319, 1352 and 1357) for temporary public vehicle park use within the same “V” zone in the past five years. All of them were approved with conditions by the Committee mainly on the considerations that the proposal was not incompatible with the surrounding areas; approval of the application on a temporary basis would not frustrate the long-term development of the area; and the concerns of relevant government departments could be addressed by implementation of approval conditions. Details of these applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.

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

7.1 The Site is:

- (a) accessible from Road D1 of YLS NDA via a local track (**Plans A-2 and A-3**); and

(b) currently paved, fenced-off and vacant (**Plans A-2 to A-4b**).

7.2 The surrounding areas comprise predominantly village houses, a vehicle repair workshop, agricultural land and unused land (**Plans A-2 and A-3**).

8. Planning Intentions

8.1 The planning intention of the “R(D)” zone is primarily for improvement 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.

8.2 The planning intention of the “V” zone is to designate both existing recognised villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses (SHs) by indigenous villagers. It is also intended to concentrate village type development within the 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 the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.

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 advisory comments are provided in **Appendices IV and V** respectively.

9.2 The following government department supports the application:

Traffic

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

- (a) she supports the application from traffic engineering perspective to meet the demand for car parking spaces; and
- (b) her advisory comments are detailed at **Appendix V**.

9.3 The following government departments object to/ do not support the application:

Land Administration

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

- (a) he objects to the application;

- (b) 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;
- (c) there is no SH application approved or under processing within the Site; and
- (d) the Site has been affected by the “Yuen Long South Development”. As the project pre-clearance survey has been conducted for the Site, his office will not process either regularisation or new application for short term waiver (STW)/short term tenancy (STT) for this application.

Agriculture and Nature Conservation

9.3.2 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) according to the latest aerial and site photos, the Site is a vacant land. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses and plant nurseries. According to the Revised Recommended Outline Development Plan (RODP) of YLS NDA promulgated in May 2020, the Site falls within an area zoned “Agriculture” (“AGR”) which is intended primarily to retain and safeguard existing quality agricultural land for agricultural purposes. In view of this, the proposed development is not supported from agricultural perspective as the Site possesses potential for agricultural rehabilitation; and
- (b) no comment on the application from nature conservation perspective.

10. Public Comment Received During the Statutory Publication Period

On 1.9.2026, the application was published for public inspection. During the statutory public inspection period, a public comment was received from an individual objecting to the application that the Site is located in the proximity of “Green Belt” zone and partly located within the “R(D)” zone which is rural in nature, and the proposed use does not serve a sizable local population (**Appendix VI**).

11. Planning Considerations and Assessments

11.1 The application is for proposed temporary public vehicle park for private cars and LGV with ancillary electric vehicle charging facilities for a period of three years at the Site zoned “R(D)” and “V” on the OZP. Although the proposed use is not entirely in line with the planning intentions of the “R(D)” and “V” zones, it could

provide private car and LGV parking spaces to the nearby villagers and serve any such demand in the area. In this regard, C for T supports the application from traffic engineering perspective. There is no known development proposal for residential development at the Site for the time being. According to DLO/YL, LandsD, there is currently no SH application approved or under processing at the Site.

- 11.2 According to the Revised RODP of YLS NDA, the Site falls within an area partly zoned “AGR”, which is intended primarily to retain and safeguard existing quality agricultural land for agricultural purposes, and partly outside the development area of YLS NDA. While DAFC has no adverse comment on the application from nature conservation perspective, he does not support the application from agricultural perspective as the Site possesses potential for agricultural rehabilitation. Nevertheless, the Chief Engineer/Cross-Boundary Infrastructure and Development, Planning Department (PlanD) and Project Manager (West), Civil Engineering and Development Department have no objection to or no adverse comment on the application. Besides, the YLS NDA, including its development area, development intensity and flat yield, is currently under review and will be subject to change. In view of the above and taking account of the planning assessments below, there is no objection to the application on a temporary basis for a period of three years.
- 11.3 The surrounding areas comprise predominantly village houses, a vehicle repair workshop, agricultural land and unused land (**Plans A-2 and A-3**). The proposed use is considered not incompatible with the surrounding uses.
- 11.4 Other concerned government departments consulted including the Director of Environmental Protection, Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department have no objection to or no adverse comment on the application from environmental, fire safety and drainage perspectives respectively. To address the technical requirements of concerned government departments, relevant approval conditions are recommended in paragraph 12.2 below. Should the planning application be approved, the applicant will be advised to follow the latest ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ to minimise possible environmental nuisance on the surrounding areas. As for DLO/YL, LandsD’s concern on the processing of STW/STT, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 11.5 There are 10 approved similar applications in the subject “V” zone in the past five years as mentioned in paragraph 6 above. Approval of the current application is in line with the previous decisions of the Committee.
- 11.6 Regarding the public comment as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.5 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 comment mentioned 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 23.10.2029. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) 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 23.4.2027;
- (b) in relation to (a) 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 23.7.2027;
- (c) in relation to (b) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (d) 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 23.4.2027;
- (e) in relation to (d) 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 23.7.2027;
- (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 on the same date be revoked without further notice.

Advisory clauses

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

- 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 intentions of "R(D)" and "V" zones, which are primarily for improvement and upgrading of existing temporary structures within the rural areas into permanent buildings and for low-rise, low-density residential development, and for development of Small Houses by indigenous villagers respectively. No strong planning justification has been given 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 24.8.2026
Appendix Ia	Supplementary Planning Statement
Appendix Ib	SI received on 28.8.2026
Appendix Ic	FI received on 9.10.2026
Appendix II	Previous Applications
Appendix III	Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comment
Drawing A-1	Location Plan with Vehicular Access
Drawing A-2	Site Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
OCTOBER 2026**