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Kary Ka Wai HO/PLAND

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Dear Kary

As spoken, please find the attached for your use.

With thanks



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[redacted]

APPLICATION UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE (CAP. 131) FOR TEMPORARY PLANNING PERMISSION TO PERMIT PUBLIC VEHICLE PARK (EXCLUDING CONTAINER VEHICLE) FOR A PERIOD OF 3 YEARS

VARIOUS LOTS IN DEMARCATION DISTRICT 244
AT HO CHUNG, SAI KUNG, NEW TERRITORIES
HONG KONG

SUPPORTING PLANNING STATEMENT

JULY 2026

EXECUTIVE SUMMARY

This planning application is submitted to the Town Planning Board under Section 16 of the Town Planning Ordinance (Cap. 131) to seek approval for a Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years ("the Proposed Use") on various lots in Demarcation District 244 at Ho Chung. The Application Site covers a registered area of about 1.09 acres (i.e. about 4,411.07m^2) and currently falls within an area zoned "Comprehensive Development Area", "Village Type Development", and "Road" on the Approved Ho Chung Outline Zoning Plan No. S/SK-HC/13.

The Application Site and various lots adjacent to it are covered by planning approval no. A/SK-HC/340 and its approval conditions are in the process of being complied with. However, given the processing time needed to complete land exchange to commence development, this planning application seeks to prevent the site from being left idle in the short term and to alleviate the traffic conditions of Hiram's Highway.

This planning application for a Temporary Public Vehicle Park (Excluding Container Vehicle) will not cause the Applicants to delay in their compliance with the approval conditions of planning approval no. A/SK-HC/340 and/or impede the future comprehensive development of the site for residential use.

The application site is located in Ho Chung, Sai Kung and the Proposed Use is considered not incompatible with low density residential developments in its vicinity.

內容摘要

申請人是根據第 131 章《城市規劃條例》第 16 條向城市規劃委員會 (「城規會」) 提交規劃申請，在西貢蠔涌丈量約份第 244 約多個地段擬議臨時公眾停車場 (貨櫃車除外) (為期 3 年) 用作臨時公共車輛停車場用途 ("本用途")。申請地盤位於蠔涌分區計劃 大綱核准圖編號 S/SK-HC/13 上的「綜合發展區」 ，「 鄉村式發展」及「道路」地帶內，地盤面積約 1.09 英畝 (即約 4,411.07 平方米)。

申請地盤及毗連多個地段已獲得規劃申請批准 (申請編號 A/SK-HC/340)，申請人現正處理其批准的附帶條件。然而，考慮到換地申請需要時間處理，在展開相關工程之前，希望在短期內都能有效利用土地資源，因此提交是次規劃申請，並且希望能緩解西貢公路的交通情況。

擬議臨時公共車輛停車場的規劃申請不會導致申請人延遲處理規劃申請批准 (申請編號 A/SK-HC/340) 的附帶條件，也不會妨礙該地盤未來用於住宅用途的綜合發展。申請地盤位於西貢蠔涌，臨時公共車輛停車場用途與其周邊的低密度住宅發展相容。

註: 內容如有差異，應以英文版本為準。

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1 Introduction

On behalf of Menhill Limited & Regional Limited ("the Applicants"), this application is submitted by Knight Frank Petty Limited under section 16 of the Town Planning Ordinance (Cap. 131) for temporary planning permission to permit a Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years (the "Proposed Use") at Lot Nos. 1016 s.A, 1016 RP, 1017, 1018 s.A, 1018 RP, 1019 s.A, 1019 RP, 1020 s.B, 1020 RP, 1021 s.B, 1021 RP, 1022 RP, 1029, 1030 and 1031 all in Demarcation District 244 (together hereinafter referred to as the "Application Site") covering a **registered area** of about 1.09 acres (i.e. about 4,411.07m^2). A Location Plan is enclosed at **Appendix A**. The extent of the Application Site is enclosed at **Appendix B**.

The Application Site and various lots adjacent to it ("Phase 2 Site") are covered by planning approval no. A/SK-HC/340 ("the Planning Approval"), which was approved by the Town Planning Board ("TPB") on 9 June 2023. A copy of the Planning Approval is at **Appendix C** and the scheme plans and Advisory Clauses extracted from RNTPC Paper No. A/SK-HC/340A are at **Appendix D**. The Planning Approval permits a proposed comprehensive residential development with minor relaxation of building height restriction.

To effect the development as permitted by the Planning Approval, an application for lease modification by way of land exchange to the Lands Department is necessary. Such application would typically take 3 years to process.

Rather than leaving the land vacant and to fully utilise its potential, the Applicants wish to operate a public vehicle park on the Application Site in tandem with their application for land exchange. The Applicants also wish to help alleviate the shortage of public vehicle parking spaces in the area and to alleviate the traffic situation on Hiram's Highway.

The TPB had previously approved application A/SK-HC/356 permitting the Proposed Use under section 16 of the Town Planning Ordinance on the 22 November 2024 ("the First TPP"), subject to various approval conditions.

Although the Applicants had genuine intention to proceed with the Proposed Use, due to commercial hardship and operational considerations, they were unable to meet the approval conditions by the required deadline. Furthermore, genuine efforts were made by the Applicant by himself to fulfil the planning approval conditions prescribed but were to no avail. As such, the First TPP lapsed. The Applicant's have now entered into an agreement with an experienced car park operator to realise the Proposed Use should this application be approved. The Applicant's now see approval for the Proposed Use.

2 Application Site

The Application Site is located at Ho Chung New Village (**Appendix B**). It abuts and has direct access to Hiram's Highway via an existing ingress/egress. The site was previously used as a plant nursery but is now currently vacant.

For the avoidance of doubt, the Application Site covers only and fully Lot Nos. 1016 s.A, 1016 RP, 1017, 1018 s.A, 1018 RP, 1019 s.A, 1019 RP, 1020 s.B, 1020 RP, 1021 s.B, 1021 RP, 1022 RP, 1029, 1030

and 1031 all in Demarcation District 244. Any plans enclosed in this application are for identification purposes only and have not been prepared by Authorized Land Surveyor.

The area of the Application Site is determined by the area as registered under Block Government Lease and is determined by the Lands Department. Given no plot ratio implication for the Proposed Use, land survey of the area as measured at current date is not necessary.

3 Surrounding Environment

The surrounding environment is largely comprised of village houses and other residential developments, the development intensity of which are low-density in nature. Detailed characteristics are as follows:

To the North is a low-density residential development under construction;

To the West is Ho Chung New Village, a 'Recognized Village' under the New Territories Small House Policy;

To the South is vacant land also owned by the Applicant's with a low-density residential development on the opposite side of Nam Pin Wai Road; and

To the East is the newly upgraded Hiram's Highway, the Ho Chung River, a Social Welfare Facility and other low-density residential developments.

The Application Site is mainly located within the village environ of Ho Chung Village and is accessible from Hiram's Highway from the East and Nam Pin Wai Road from the South.

4 Current & Previous Use

The Application Site is currently vacant and was previously occupied by some structures of ex-sauce processing factories and plant nursery which are now demolished.

5 Proposed Temporary Use

The Proposed Use includes 100 private car parking spaces, each with a dimension of 2.5 x 5.0 m. A detailed layout plan of the Proposed Use is enclosed at **Appendix E**.

As stated above, the main purpose of the Proposed Use is to prevent the land being left vacant as the Applicant's apply for a land exchange application through the Lands Department while concurrently alleviating the shortage of public vehicle parking spaces in the area and to alleviate the traffic situation on Hiram's Highway.

6 Statutory Town Planning

6.1 Statutory Planning Control

The Application Site is covered by Approved Ho Chung Outline Zoning Plan No. S/SK-HC/13 and currently zoned 'Comprehensive Development Area' ("CDA"), 'Village Type Development' ("V"), and

"Road". The vast majority of the Application Site is zoned CDA. 'Public Vehicle Park (excluding container vehicle)' is included under Column 2 of Schedule of Uses of both CDA and V zone and is thus a use which may be permitted with or without conditions on application to the TPB.

6.2 Planning Intention

CDA zone is intended for comprehensive development/redevelopment of the area for residential and/or commercial uses with the provision of open space and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.

In line with the planning intention, a planning application was submitted and approved for development of the area into a private residential development.

6.3 Previous Planning Applications Covering the Application Site

Application No.	**Address**	**Applied Use**	**Decision**
A/DPA/SK-HC/26	Various Lots in DD214 and DD244 in Ho Chung, Sai Kung, N.T.	Low-density Residential Development	Rejected/Not agreed (on 14/08/1992)
A/SK-HC/124*		Comprehensive Residential Development	Allowed/Allowed with condition(s) upon Appeal under S17B (on 16/07/2013)
A/SK-HC/124-1		Comprehensive Residential Development – Minor Amendment (S16A – Extension of Time)	Approved/Agreed (on 22/06/2017)
A/SK-HC/124-2		Comprehensive Residential Development – Minor Amendment (S16A)	Approved/Agreed (19/01/2022)
A/SK-HC/340		Proposed Comprehensive Residential Development with Minor Relaxation of Building Height Restriction at Phase 2 Site	Deferred (on 23/12/2022) Approved with condition(s) until 09/06/2027 (on 09/06/2023)
A/SK-HC/356		Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years	Approved with condition(s) on 22 November 2024

**Application for Land Exchange to commence development of Phase 2 of the Comprehensive Residential Development.*

6.4 Planning Approval (A/SK-HC/340)

In general, CDA zones shall be developed as a whole. For this CDA site in particular, the development is to be developed in two phases. A S.16 Application for Phase 1 Site to the North of the Application Site was approved on 16 July 2013. Subsequently, a land exchange application was submitted and then approved in 2021. Development for Phase 1 Site has commenced.

The Planning Approval was approved by the TPB on 9 June 2023, covering the Phase 2 Site includes within it, the Application Site and other adjacent lots for a 'Proposed Comprehensive Residential Development with Minor Relaxation of Building Height Restriction at Phase 2 Site'.

The Phase 2 Site is around 5,827.4m^2 (including about 761.1m^2 of government land) in size. The development as approved under the Planning Approval is for 22 houses, 8 of which will be 3-storey houses and 14 of which will be 6-storey houses with a plot ratio of not more than 0.75, a site coverage of not more than 25% and a total gross floor area of not more than 4,124.6m^2.

As part of the Planning Approval, the following conditions must be complied with by 9 June 2027, otherwise the permission shall cease to have effect:

- Submission and implementation of a revised Master Layout Plan;
- Submission and implementation of a revised Landscape Master Plan;
- Design and construction of the proposed road junction;
- Submission of a revised noise impact assessment and the implementation of the noise mitigation measures;
- Provision of water supplies for firefighting and fire service installations;
- Submission and implementation of a development programme indicating the timing and phasing of the comprehensive development; and
- Commencement of an approved development via lease modification by way of land exchange.

The above conditions are being or will be complied with. In support of the Applicant's intention to carry out the development in accordance with the Planning Approval, a land exchange application has already been submitted to District Lands Office/Sai Kung on 10 June 2026 to commence the development of Phase 2 of the Comprehensive Residential Development, with the applied use being one and the same as that stipulated under the Planning Approval.

7 Land Status

The lots which make the Application Site are Old Schedule Agricultural Lots held under Block Government Lease of Demarcation District 244. As per the High Court's ruling in 1983 on the Melhado Case, as there are no structures for the Proposed Use, no application for lease modification to the Lands Department is necessary.

As shown in **Appendix B**, the Application Site does not cover the entirety of the Phase 2 Site but is the largest contiguous area covered by private lots owned by the Applicant. The Application Site does not include any unallocated government land.

To effect the residential development as approved under the Planning Approval, an application for land exchange was already submitted to the Lands Department.

8 Justifications

8.1 Not Incompatible with the Surrounding Environment

Given the existence of public parking areas along Hiram's Highway and the non-polluting and non-noisome nature of the proposed temporary, the Proposed Use is not incompatible with the surrounding environment.

8.2 Will Not Affect Implementation of Approved Comprehensive Residential Development

The temporary nature of the Proposed Use would not jeopardise the long-term planning intention of the CDA zone for residential use with the provision of open space and other supporting facilities. Indeed, should the application for land exchange be expedited and completed prior to the lapsing of this planning approval to permit a temporary public vehicle park, it is the intention of the Applicants to begin development of the area in accordance with the Planning Approval immediately.

8.3 No Adverse Impact Caused to Local Traffic Conditions

Due to the recent upgrade of the roundabout at the intersection of Hiram's Highway and New Hiram's Highway, the impact to local traffic conditions, if any, is considered to be acceptable. Indeed, should those travelling into Sai Kung Town Centre, where that portion of Hiram's Highway has not yet been upgraded, be allowed to park their cars at the Application Site and transfer to other modes of public transportation, it could provide relief to local traffic conditions. In addition, an ingress/egress ramp already exists, connecting the Application Site to Hiram's Highway.

Overall, the amount of users of the Proposed Use is judged to be minimal and mostly for weekend visitors to the area or long term parking by villagers in the area.

Enclosed at **Appendix F** is a Traffic Impact Assessment which demonstrates the following:

- Queuing area is incorporated into the layout of the Proposed Use to ensure no backing up of vehicles waiting to enter the car park;
- Swept path analysis shows that private cars would be able to enter and leave the vehicular access with ease; and
- Trip generation of the Proposed Use and demonstration of no adverse impact.

8.4 Relief to Parking Space Shortfall in Short Term

Due to the soon to commence and necessary road widening works along Hiram's Highway, certain existing public parking spaces would cease to operate during the road works. The Proposed Use could offer some relief to this shortfall and allow travellers to Sai Kung Town Centre to park their vehicles and transfer to other modes of public transport such as minibus and bus.

8.5 Drainage and Sewerage

The Application Site is currently paved and considered as impervious area. The Proposed Use will not change the amount of paved and unpaved area which in turn will affect the watercourse or drainage path of the Application Site. As such, the Proposed Use will not lead to any changes in runoff behaviour

and the overall drainage regime remains the same. The Proposed Use would not generate any discharge of sewage.

8.6 Maximising Land Use

It has long been the government's policy to maximise land use. While the Applicant proceeds to commence the Planning Approval and applies for the necessary land exchange, permitting the Proposed Use would mean that the land is not left vacant in the interim.

8.7 Experienced Operator

The Applicants have entered into an agreement with an experienced car park operator to realise the Proposed Use. The operator's experience would greatly speed up the fulfilment of approval conditions should this application be approved.

8.8 No Insurmountable Impacts

No insurmountable adverse environmental, traffic, water, and waste impacts are anticipated. Due to the nature of the Proposed Use, staff required for maintenance will be minimal.

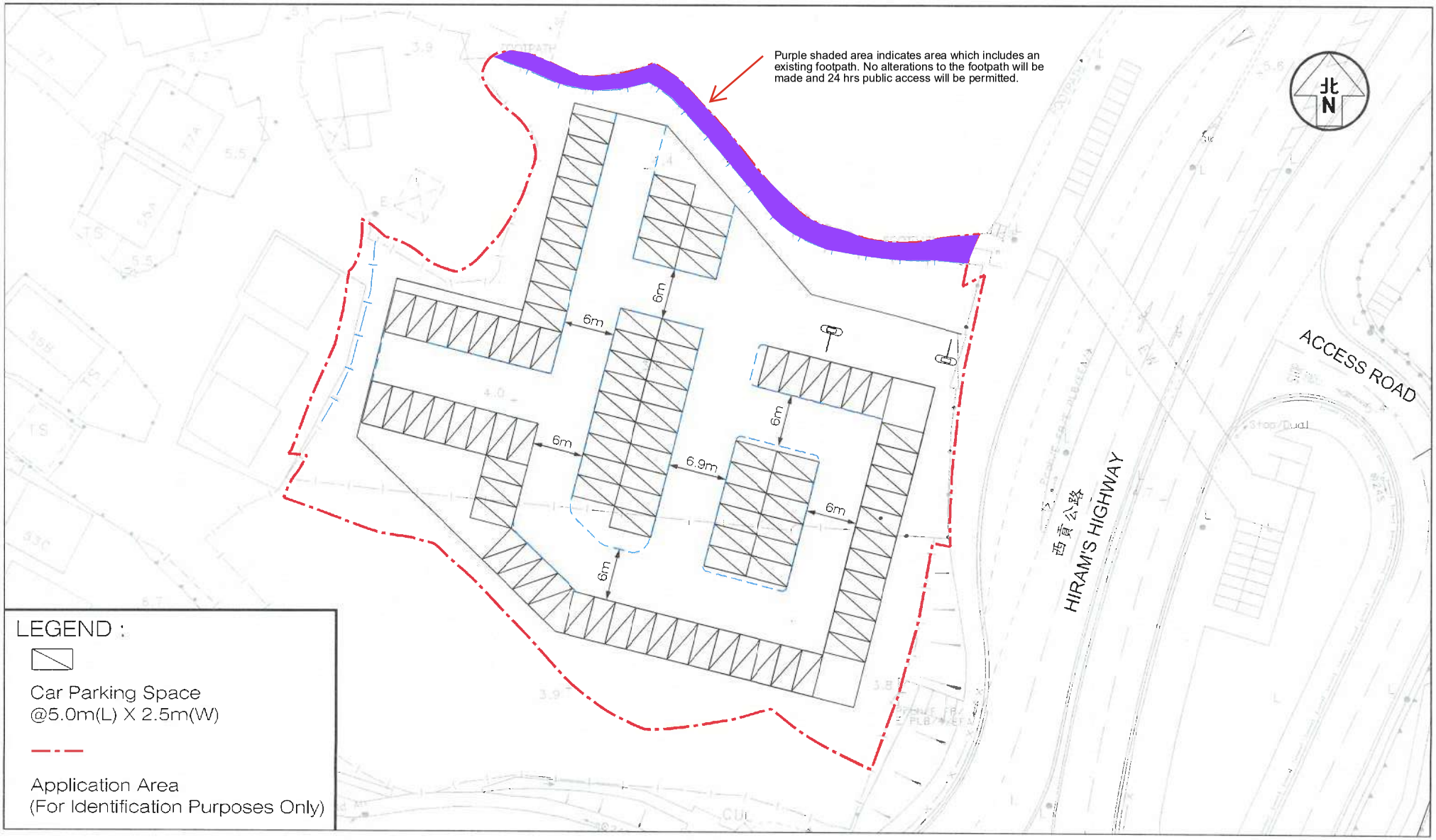
9 Conclusion

It is the intention of the Applicants to develop the area in accordance with the Approved Planning Permission. However, as discussed above, a necessary application for land exchange to the Lands Department is being submitted to District Lands Office/Sai Kung but would likely take a number of years.

To prevent the Application Site from being left idle and unused for the next few years, to provide a temporary supply of public vehicle parking in the area, and to alleviate the traffic condition of Hiram's Highway, the Applicant's hope that the Board can look favourably on his application and grant approval for the Proposed Use. A favourable consideration to the current application made under section 16 of the Town Planning Ordinance (Cap. 131) is hereby sought.

10 Attachments

Appendix A	Location Plan
Appendix B	Application Site
Appendix C	TPB Approval Letter A/SK-HC/340 dated 23 June 2023
Appendix D	Extract from RNTPC Paper No. A/SK-HC/340A
Appendix E	Public Vehicle Park Layout Plan
Appendix F	Traffic Impact Assessment


Purple shaded area indicates area which includes an existing footpath. No alterations to the footpath will be made and 24 hrs public access will be permitted.
北
N
ACCESS ROAD
西貢公路
HIRAM'S HIGHWAY
6m
6m
6m
6.9m
6m
6m
LEGEND :
Car Parking Space
@5.0m(L) X 2.5m(W)
Application Area
(For Identification Purposes Only)