Withdrawn by Applicant

RNTPC Paper No. A/NE-LYT/883
For Consideration by the
Rural and New Town
Planning Committee
on 20.11.2026

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-LYT/883

Applicant	:	Hong Kong Big Bee Green Energy Technology Limited represented by R-riches Planning Limited
Site	:	Various Lots in D.D. 83, Ma Liu Shui San Tsuen, Fanling
Site Area	:	About 3,565m^2
Lease	:	Block Government Lease and New Grant Lot (demised for agricultural use)
Plan	:	Approved Lung Yeuk Tau and Kwan Tei South Outline Zoning Plan (OZP) No. S/NE-LYT/19
Zonings	:	(i) "Agriculture" ("AGR") (about 2,652m^2 or 74% of the Site) (ii) "Residential (Group C)" ("R(C)") (about 913m^2 or 26% of the Site)
Application	:	Proposed Temporary Shop and Services (Taxi Showroom) with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years

1. The Proposal

1.1 The applicant seeks planning permission for proposed temporary shop and services (taxi showroom) with ancillary facilities and associated filling of land for a period of three years at the application site (the Site) falling within an area largely zoned "AGR" and partly zoned "R(C)" on the OZP (**Plan A-1**). According to the Notes of the OZP, 'Shop and Services' is a Column 2 use in the "R(C)" zone, and temporary use or development of any land or building not exceeding a period of three years and filling of land within the "AGR" zone require planning permission from the Town Planning Board (the Board). The Site is generally vacant, partly fenced-off and hard-paved, with dense vegetation and tree clusters at its southern part (**Plans A-4a** and **A-4b**).

1.2 The Site is accessible from the abutting Hai Wing Road to the immediate north, which is a local access road under private ownership mainly serving Ma Liu Shui San Tsuen, leading to Lung Ma Road and Dao Yang Road (**Plan A-2**). According to the applicant, the proposed use at the Site is to provide taxi rental services for taxi rentee-drivers and renter-owners, as well as taxi showroom services for potential buyers, such as existing taxi renter-owners who intend to switch from liquefied petroleum gas (LPG) taxis to electric taxis. The proposed

use will also provide agency services to assist renters/owners in handling relevant procedures for taxi licences, vehicle registration documents, and licences. The proposal involves an open area of about 2,652m^2 (about 74% of the Site) for the display of about 60 to 70 electric taxis[1] which is mainly located at the southern portion largely zoned "AGR", whilst the remaining uncovered areas are for parking and circulation spaces for staff and visitor vehicles (**Drawing A-1**). Two single-storey structures with a building height of 3m and a total floor area of 72m^2 is proposed for shop and services, site office and toilet uses at the northern portion of the Site falling within "R(C)" zone. The operation hours are between 9:00 a.m. and 6:00 p.m. daily, including Sundays and public holidays. Not more than three staff members and 10 visitors will be at the Site at any one time.

1.3 The applicant proposes an 8m-wide ingress/egress at the northern-end of the Site, which will be maintained at his own expense. Eight parking spaces, including four for private cars (5m (L) × 2.5m (W) each) and four for light goods vehicles (LGVs) (7m (L) × 3.5m (W) each), are provided at the northern portion of the Site for staff and visitors by appointment only. Various traffic management measures, including (i) restricting vehicles from entering or exiting the Site via the western connections of Hai Wing Road and Lung Ma Road; (ii) deployment of staff at the Site and the junction of Hai Wing Road and Dao Yang Road to direct the vehicles entering/exiting the Site; (iii) prohibition on vehicle exceeding 5.5 tonnes from entering, being parked, stored, or displayed at the Site at all times; (iv) restriction of vehicle speed within the Site; and (v) provision of sufficient maneuvering space within the Site, will be implemented to ensure that there is no queuing back from the Site onto the public roads and to enhance the pedestrian safety in the area. No open storage, storage of dangerous and dusty goods, car beauty/washing/repairing, paint-spaying, dismantling, or other workshop activities will be allowed at the Site.

1.4 The applicant also applies for regularisation of filling of land (about 1,029m^2 or 28%) and proposed filling of land (about 1,618m^2 or 45%) for the Site[2] of not more than 0.2m in depth (to level of +12.2mPD) by concrete for site formation and circulation purpose (**Drawing A-2**). To minimise potential nuisance to nearby sensitive receivers, a 2.5m-high solid metal wall will be erected along the Site boundaries. The layout and land filling plans submitted by the applicant are shown in **Drawings A-1** and **A-2** respectively.

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

(a)	Application Form with Attachments received on 24.9.2026	(**Appendix I**)
(b)	Supplementary Information (SI) received on 30.9.2026	(**Appendix Ia**)
(c)	Further Information (FI) received on 9.11.2026^	(**Appendix Ib**)
(d)	FI received on 16.11.2026^	(**Appendix Ic**)

^ *accepted and exempted from the publication and recounting requirements*

[1] According to the applicant, the vehicle displaying area, excluding the circulation area for the display vehicles, occupies an area of about 1,117m^2 (about 33% of the Site). The taxi displayed for sale thereon will be unlicenced.

[2] No planning permission is required for filling of land within the "R(C)" zone.

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 applicant, who operates a taxi fleet, intends to utilise the Site to provide taxi rental and showroom services;

(b) there are no active agriculture activities on the "AGR" portion and no known development proposal for the "R(C)" portion of the Site. The proposed use is temporary in nature and approval of the application would not frustrate the long-term planning intention of the "AGR" and "R(C)" zones;

(c) the proposed use is not incompatible with the surrounding land uses. Besides, there is a similar application (No. A/NE-LYT/854) approved by the Rural and New Town Planning Committee (the Committee) of the Board within the same "AGR" zone. Approval of the current application is in line with the Committee's previous decision and would not set undesirable precedent;

(d) the applicant undertakes to strictly follow the requirements of the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' ('COP') issued by the Environmental Protection Department to minimise environmental impacts on and nuisances to the surrounding areas. In general, it would not induce adverse traffic, environmental, sewerage, drainage and landscape impacts and fire safety issue on the surrounding areas; and

(e) the extent of land filling, which is to meet the operational needs of the proposed use, has been kept to the minimum. Upon expiry of the planning permission, the Site will be reinstated into an amenity area.

3. Compliance with the "Owner's Consent/Notification" Requirements

The applicant is not the "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 the Fanling District Rural Committee. Detailed information would be deposited at the meeting for Members' inspection.

4. Background

4.1 The first statutory plan covering the Site (i.e. the Lung Yeuk Tau and Kwan Tei South Interim Development Permission Area (IDPA) Plan No. IDPA/NE-LYT/1) was gazetted on 17.8.1990 (**Plan A-3a**). Based on the aerial photo taken in July 1991 (**Plan A-3b**), the Site was partly formed and used for storage purpose, while the remaining portion at its southern part was covered with tree clusters and dense vegetation (which generally corresponds to the proposed land filling area under the current application as detailed in paragraph 1.4 above). Since then, the formed portion of the Site has been used for storage/workshop/public vehicle park (PVP) uses, with or without valid planning permission, whereas the remaining

portion of the Site has remained as a vegetated area (**Plans A-3b** to **3d**).

4.2 The formed portion of the Site (**Plan A-3d**) was the subject of a previous application (No. A/NE-LYT/806) for PVP use involving 64 private car parking spaces, which was approved with conditions by the Committee in October 2023 (**Plan A-1**). However, the planning permission was subsequently revoked in July 2025 due to non-compliance with the approval conditions on the implementation of run-in/out, drainage and fire services installations proposals.

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

5. Previous Applications

5.1 Part of the Site is the subject of five previous applications (No. A/NE-LYT/444, 646, 730 and 775 and 806) for various temporary uses submitted by different applicants. Whilst applications No. A/NE-LYT/444 (for PVP (for coaches)) and 646 (for open storage) were rejected by the Committee in 2012 and 2018 respectively, applications No. A/NE-LYT/730 (for recyclable collection centre), 775 and 806 (for PVP (for private cars)) were approved with conditions by the Committee between 2020 and 2023. Their planning considerations are not relevant to the current application which involves a different use.

5.2 Details of the previous applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

6. Similar Applications

6.1 There is one similar application (No. A/NE-LYT/825) for shop and services (bicycle products store) with PVP involving a site abutting Lung Ma Road within the same "R(C)" zone in the past five years. The application was approved with conditions by the Committee in 2024, mainly on the considerations that the proposed use could be tolerated on a temporary basis; it was not incompatible with the surrounding land uses; and it would not induce significant adverse traffic, environmental, sewerage, drainage and landscape impacts.

6.2 Besides, there are two similar applications (No. A/NE-LYT/767 and 854[3]) for shop and services (retail shop for building materials and metalware) involving the same site abutting Sha Tau Kok Road – Lung Yeuk Tau, partly within the same "AGR" zone, in the past five years. Both applications were approved with conditions in 2022 and 2025 respectively, mainly on the similar considerations as detailed in paragraph 6.1 above, and/or the fact that the site was the subject of previously approved applications for the same shop and services use.

6.3 Details of the similar applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.

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[3] Application No. A/NE-LYT/854 is for renewal of planning permission to continue using the site for temporary shop and services for a period of three years under application No. A/NE-LYT/767.

7. <u>The Site and Its Surrounding Areas</u> (Plans A-1, A-2, A-3c to A-4b)

7.1 The Site is:

(a) generally vacant, partly fenced-off and hard-paved, with dense vegetation and tree clusters at its southern part. The "AGR" portion of the Site falls within the Queen's Hill Site of Archaeological Interest (Archaeological Site No. AM01-1654); and

(b) accessible from the abutting Hai Wing Road, which is a local access road under private ownership mainly serving Ma Liu Shui San Tsuen, leading to Lung Ma Road and Dao Yang Road in the west and east respectively.

7.2 The surrounding areas are predominantly rural in character, comprising mainly village houses/domestic structures, active/fallow agricultural land, vacant land, and tree clusters/vegetated areas, intermixed with some existing brownfield operations such as storage yards and workshops. The village proper of Ma Liu Shui San Tsuen within the "Village Type Development" zone is situated to the west of the Site. To the south is the vegetated area with scattered structures and vacant land, which segregate the Site from the Queen's Hill public housing development.

8. <u>Planning Intentions</u>

8.1 The planning intention of the "AGR" zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

8.2 According to the Explanatory Statement of the OZP, as filling of land within the "AGR" zone may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities.

8.3 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.

9. <u>Comments from Relevant Government Departments</u>

9.1 Apart from the government department as set out in paragraphs 9.2 and 9.3, other departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and recommended advisory clauses are provided at **Appendices IV** and **V** respectively.

9.2 The following government department does not support the application:

<u>Agriculture</u>

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

he does not support the application from agricultural development perspective as

the Site largely zoned "AGR" possesses potential for agricultural rehabilitation. There are active agricultural activities in the vicinity of the Site, 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 etc.

9.3 The following government departments provide views on the application:

Traffic

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

(a) she has no further comment on the application, having reviewed the FIs submitted by the applicant (**Appendices Ib** and **Ic**). Provided that the trips generated from the Site is not substantial, and that the vehicular access to and from the Site is restricted only to Sha Tau Kok Road – Lung Yeuk Tau via Dao Yang Road and Hai Wai Road as proposed by the applicant, she considers that the proposed use at the Site can be tolerated from traffic engineering perspective;

(b) taking into consideration the location of the Site and the proposed use, as well as the need to minimise traffic impacts on nearby roads and prevent the Site from being misused as vehicle parking as raised by the local villagers, the following approval conditions are recommended should the application be approved:

(i) all vehicles entering and exiting the Site shall be restricted to non-peak hours (i.e. 10:00 a.m. to 4:00 p.m.), as proposed by the applicant, during the planning approval period;

(ii) no parking of more than four private cars and four LGVs, as proposed by the applicant, at any time during the planning approval period*;*

(iii) the submission and implementation of traffic management measures, as proposed by the applicant, to the satisfaction of C for T or of the Board; and

(iv) in relation to (iii) above, the implemented traffic management measures shall be maintained at all times during the planning approval period; and

(c) her advisory comments are at **Appendix IV**.

Landscape

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

(a) she has no in-principle objection on the application from landscape planning perspective;

(b) based on the aerial photo taken in 2024 (**Plan A-3c**), the Site is

located in an area of rural inland plain landscape character comprising village houses, warehouses, carparking areas, temporary structures, residential developments, vegetated areas and tree clusters. The proposed use is considered not entirely incompatible with the surrounding environment;

(c) with reference to the site photos taken on 2.10.2026 (**Plan A-4a**) and the site visit conducted on 13.10.2026, the Site is fenced-off, partly formed and partly covered with vegetation. Some trees of common and undesirable species are observed on it. While the applicant states in the FI that no tree felling will be involved, the proposed land filling at the Site may lead to vegetation clearance; and

(d) her advisory comments are at **Appendix V**.

10. Public Comments Received During Statutory Publication Period

10.1 On 2.10.2026, the application was published for public inspection. During the statutory public inspection period, six public comments were received (**Appendix VI**).

10.2 Three comments from the Indigenous Inhabitant Representative of Ma Liu Shui San Tsuen and the Chairman and Vice-Chairman of Fanling District Rural Committee object to the application and one comment from an individual express views on the application. Their grounds of objection and concerns are summarised as follows:

(a) there have been drainage blockages and flooding issues in the area. The proposed use with associated land filling will increase the flooding risks in the nearby areas;

(b) the single-lane access road serving the Site is incapable of accommodating the additional traffic generated by the proposed use. It would induce adverse traffic impacts, resulting in congestion and pedestrian safety issues;

(c) Dao Yang Road is under private ownership, and it is unreasonable for local residents to bear the maintenance costs arising from road damage due to the proposed use; and

(d) the proposed use is incompatible with the surrounding area, which is predominated by domestic structures, and the proposed use may degrade the environmental quality of the area.

10.3 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 proposed temporary shop and services (taxi showroom) with ancillary facilities and associated filling of land for a period of three years at the

Site largely zoned "AGR" (about 74%) and partly zoned "R(C)" (about 26%) on the OZP (**Plan A-1**). The proposed use is not in line with the planning intention of the "AGR" zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and that of the "R(C)" zone, which is primarily intended for low-rise, low-density residential developments where commercial use serving the local residential neighourhood may be permitted. DAFC does not support the application from agricultural perspective as the "AGR" portion of the Site possesses potential for agricultural rehabilitation. Besides, while there is no known development proposal for the "R(C)" portion of the Site, there is insufficient information in the submission to demonstrate the need of the proposed use to serve the local residential neighourhood. Taking into account the above and the assessments below, it is considered that no strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis.

11.2 The proposal involves regularisation of filling of land/proposed filling of land at the Site with a depth of not more than 0.2m by concrete (to a site formation level of +12.2mPD) (**Drawing A-2**) as detailed in paragraph 1.3 above. Filling of land within "AGR" zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the surrounding areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department has no objection to the application from public drainage perspective, and the Director of Environmental Protection has no comment on the proposed associated filling of land from environmental perspective subject to implementation of mitigation measures as listed in the Recommended Pollution Control Clauses for Construction Contracts.

11.3 The Site, which is generally vacant, partly fenced-off and hard-paved, with dense vegetation and tree clusters at its southern part, is situated within Ma Liu Shui San Tsuen (**Plans A-2** and **A-4b**). According to the applicant, the proposal comprises two single-storey structures for shop and services, office, washroom uses and parking spaces at the northern part of the Site within the "R(C)" zone, and provision of substantial open area for display of vehicles at the southern portion being zoned "AGR" (**Drawing A-1**). Whilst the proposed use is considered not entirely incompatible with the surrounding land uses and CTP/UD&L, PlanD has no in-principle objection to the application from landscape planning perspective, the proposed use with associated land filling will involve clearance of existing dense vegetation and tree clusters at the southern portion of the Site for provisioning of an uncovered paved area of about 2,652m^2 for display of vehicles as well as circulation spaces (**Plans A-3d** and **A-4a**). Approving the current application might attract similar applications into the undisturbed part of the subject "AGR" zone, and the cumulative impacts of which would result in a general degradation of the rural environment and character of the area.

11.4 Whilst C for T has no further comment on the applicant and considers that the proposed use at the Site can be tolerated from traffic engineering perspective, she advises to impose approval conditions restricting the vehicular access hours to and from the Site, and the numbers and types of vehicles permitted parked on-site; and requiring the implementation and maintenance of traffic management measures as proposed by the applicant, taking into account the location of the Site and the proposed use, the need to minimise traffic impacts on nearby roads and prevent the Site from being misused as vehicle parking. Other concerned government departments consulted, including the Director of Fire Services, have no objection

to or no comment on the application.

11.5 There are three approved similar applications for shop and services use serving the local community, involving two sites with direct connection to the major roads, as detailed in paragraphs 6.1 and 6.2 above (**Plan A-1**). However, the planning considerations of those applications are not applicable to the current application in that the Site does not have a direct connection to the major roads without passing through residential dwellings; and an extensive clearance of dense vegetation and tree clusters is involved.

11.6 Regarding public comments as detailed in paragraph 10 above, the government departments' comments and the 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 mentioned in paragraph 10 above, PlanD does not support the application for the following reason:

the proposed use with associated filling of land is not in line with the planning intention of the "AGR", which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. It is also not in line with the planning intention of the "R(C)" zone which is primarily for low-rise, low-density residential developments. There is no strong planning justification in the submission for a departure from such planning intentions, even on a temporary basis.

12.2 Alternatively, 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 20.11.2029. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval Conditions

(a) all vehicles entering and exiting the Site shall be restricted to 10:00 a.m. to 4:00 p.m., as proposed by the applicant, during the planning approval period;

(b) no parking of more than four private cars and four light goods vehicles at the Site, as proposed by the applicant, at any time during the planning approval period;

(c) 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 20.5.2027;

(d) in relation to (c) 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 20.8.2027;

(e) in relation to (d) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;

(f) 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 20.5.2027;

(g) in relation to (f) 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 20.8.2027;

(h) the submission of traffic management measures, as proposed by the applicant, within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board by 20.5.2027;

(i) in relation to (h) above, the implementation of the traffic management measures within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board by 20.8.2027;

(j) in relation to (i) above, the implemented traffic management measures shall be maintained at all times during the planning approval period;

(k) if any of the above planning condition (a), (b), (e) or (j) 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;

(l) if any of the above planning condition (c), (d), (f), (g), (h) or (i) 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; and

(m) upon the expiry of the planning permission, the reinstatement of the "Agriculture" portion of the Site, including the removal of fill materials and hard paving, and grassing of the "Agriculture" portion of the Site to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory Clauses

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

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 reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

13.3 Alternatively, 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.

14. Attachments

Appendix I	Application Form with Attachments received on 24.9.2026
Appendix Ia	SI received on 30.9.2026
Appendix Ib	FI received on 9.11.2026
Appendix Ic	FI received on 16.11.2026
Appendix II	Previous Applications
Appendix III	Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comments
Drawing A-1	Site Layout Plan
Drawing A-2	Land Filling Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3a to A-3d	Aerial Photos
Plans A-4a and A-4b	Site Photos

PLANNING DEPARTMENT
NOVEMBER 2026