RNTPC Paper No. A/NE-LYT/884
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/884

Applicant	:	Mr. LAM Yau Hung represented by R-riches Planning Limited
Site	:	Lot 1475 S.B RP (Part) in D.D. 83, Lung Yeuk Tau, Fanling
Site Area	:	About 1,533m^2
Lease	:	Block Government Lease (demised for agricultural use)
Plan	:	Approved Lung Yeuk Tau and Kwan Tei South Outline Zoning Plan (OZP) No. S/NE-LYT/19
Zoning	:	"Agriculture" ("AGR")
Application	:	Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) and Associated Filling of Land for a Period of Three Years

1. The Proposal

1.1 The applicant seeks planning permission for proposed temporary public vehicle park (PVP) (excluding container vehicle) and associated filling of land for a period of three years at the application site (the Site) falling within an area zoned "AGR" on the OZP (**Plan A-1**). According to the Notes of the OZP, 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 partly occupied by active farmland and vegetation, and partly hard-paved with two single-storey structures and used for parking of vehicles without valid planning permission (**Plan A-4**).

1.2 The Site, with a proposed 8m-wide ingress/egress to its north, is accessible from Sha Tau Kok Road – Lung Yeuk Tau via a local access (**Plans A-2** and **A-4**). According to the applicant, the proposed use involves a total of 18 parking spaces, including nine for private cars (5m (L) × 2.5m (W) each) and nine for light goods vehicles (LGVs) (7m (L) × 3.5m (W) each), at the Site (**Drawing A-1**). No structure will be erected within the Site. The applicant also applies for regularisation of filling of land/proposed filling of land for the majority part of the Site (about 1,565m^2 or 98.6%) of not more than 0.2m in depth (to a site level of not more than 10.5mPD) by concrete and gravel for site formation and circulation purpose (**Drawing A-2**). No container vehicle/tractor, vehicle exceeding 5.5 tonnes or vehicle without valid licence issued under the Road Traffic (Registration

and Licensing of Vehicles) Regulations will be allowed to enter or be parked/stored at the Site at all times. No vehicle repairing, dismantling, maintenance, cleansing, spraying or other workshop activities will be carried out at the Site at all times. Traffic management measures, including provision of sufficient internal circulation and manoeuvring space, deployment of staff to direct vehicles entering/exiting the Site and installation of 'Beware of Pedestrians' and 'Stop' road signs near the ingress/egress of the Site, will be implemented to ensure the pedestrian safety of the area. To compensate for the tree felling arising from the proposed use, five new trees will be planted along the western boundary of the Site (**Drawing A-3**). The layout plan, land filling plan and landscape proposal submitted by the applicant are shown in **Drawings A-1** to **A-3** respectively.

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

(a)	Application Form with Attachments received on 29.9.2026	(**Appendix I**)
(b)	Further Information (FI) received on 4.11.2026^	(**Appendix Ia**)
(c)	FI received on 10.11.2026^	(**Appendix Ib**)

^ *accepted and exempted from the 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 and FIs at **Appendices I** to **Ib**, as summarised below:

(a) the proposed use would meet the parking needs of nearby residents and addresses the local on-street parking issue;

(b) the proposed use is temporary in nature and approval of the application would not frustrate the long-term planning intention of the "AGR" zone;

(c) the proposed use is not incompatible with the surrounding land uses. Besides, there are similar applications approved by the Committee in the vicinity within the same "AGR" zone;

(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, drainage, sewerage 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. No further land filling will be carried out at the Site. 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

Part of the Site is subject to active planning enforcement action against an unauthorized development (UD) involving parking of vehicles (enforcement case No. E/NE-LYT/302) (**Plan A-2**). An Enforcement Notice (EN) was issued on 6.10.2026 requiring the discontinuance of UD. If the EN is not complied with, prosecution action would be considered.

5. Previous Application

The Site is not the subject of any previous application.

6. Similar Applications

6.1 There are seven similar applications for temporary PVP (No. A/NE-LYT/777, 806, 820, 828, 837, 851 and 882) involving five sites within or partly within the "AGR" zones in the vicinity of the Site in the past five years (**Plan A-1**), all of which were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 2023 and 2026, mainly on the considerations that the proposed/applied use was not incompatible with the surrounding areas; it would not induce significant adverse traffic, environmental, sewerage, drainage and landscape impacts on the surroundings; there were approved similar applications in the vicinity of the site; and/or it generally complied with the relevant Town Planning Board Guidelines for renewal of planning approval for temporary use or development.

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

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

7.1 The Site is:

(a) partly occupied by active farmland and vegetation, and partly hard-paved with two single-storey structures and used for parking of vehicles without valid planning permission; and

(b) accessible from Sha Tau Kok Road – Lung Yeuk Tau via a local access on Government land (GL).

7.2 The surrounding areas of rural character mainly comprise domestic structures, storages, active farmland, a plant nursery, vacant land, and tree clusters or vegetated areas. To the northwest abutting Sha Tau Kok Road – Lung Yeuk Tau is a piece of GL used as works area (under Government Land Allocation No. GLAT-TDN 4973), which is currently managed by the Drainage Services Department (DSD).

8. Planning Intention

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 may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities.

9. Comments from Relevant Government Departments

9.1 Apart from the government departments as set out in paragraphs 9.2 and 9.3 below, other bureau/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 III** and **IV** respectively.

9.2 The following government departments have adverse comment on or do not support the application:

Land Administration

9.2.1 Comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD):

(a) he has adverse comment on the application;

(b) the Site comprises Old Schedule Agricultural Lot 1475 S.B RP in D.D. 83 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 GL but no right of access via GL is granted to the Site;

(c) the private lot is covered by Modification of Tenancy No. 38286 for domestic purposes, but its cancellation is under processing. His office reserves the rights to take necessary enforcement action of breach is detected;

(d) there are structures erected on the private lot concerned. Records of Surveyed Squatter Structures were found thereon, but their

conformity is subject to further investigation. His office reserves the rights to take necessary enforcement action if breach is detected;

(e) the following irregularities not covered by the subject planning application have been detected:

Unauthorised structures within the said private lot not covered by the planning application

there are unauthorised structures within the said private lot not covered by the subject planning application. The lot owner/applicant should immediately rectify/regularise the lease breaches and his office reserves the rights to take necessary lease enforcement action against the breaches without further notice;

(f) the lot owner/applicant shall either (i) remove the unauthorised structures not covered by the subject planning application immediately; or (ii) include the unauthorised structures in the subject planning application for the further consideration by the relevant departments and, subject to the approval of the Board to the planning application which shall have reflected the rectification or amendment as aforesaid required, apply to his office for an STW to permit the structures erected. The application for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STW, if approved, will be subject to such terms and conditions including the payment of waiver fee and administrative fee as considered appropriate to be imposed by LandsD. In addition, LandsD reserves the right to take enforcement action against the lot owner for any breach of the lease conditions, including the breach(es) already in existence or to be detected at any point of time in future. Unless and until the unauthorised structures are duly rectified by the lot owner or entirely included in the subject planning application, his office would have adverse comment to the application which must be brought to the attention of the Board when they consider the application. Notwithstanding the above, according to the prevailing land policy, no STW applications for domestic purposes would be considered; and

(g) his advisory comments are at **Appendix IV**.

Agriculture

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

he does not support the application from agricultural development perspective as the Site zoned "AGR", which is generally vacant with some structures and partly used for farming, 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 sources 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 department provides views on the application:

Traffic

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

(a) she has no comment on the application from traffic engineering perspective;

(b) taking into consideration the location of the Site and the proposed use, and to ensure the safety of the pedestrians and cyclists crossing the ingress/egress of the Site, the following approval conditions are recommended should the application be approved:

(i) 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

(ii) in relation to (i) 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**.

10. Public Comments Received During Statutory Publication Period

On 6.10.2026, the application was published for public inspection. During the statutory public inspection period, six public comments were received (**Appendix V**). Four comments from the Chairman and Vice-Chairman of Fanling District Rural Committee and two individuals object to the application, mainly on the grounds that the Site, which has been hard-paved with unauthorised structures and used for parking of vehicles without valid planning permission, was subject to planning enforcement action; part of the Site is still occupied by active agricultural activities; there is concern over potential brownfield operations at the Site; the proposed use would generate adverse traffic impacts on the surrounding area, leading to traffic congestion and pedestrian safety concerns; the proposed use would induce environmental nuisances (e.g. air and noise pollution) to nearby residents; and the Site, lacking proper drainage facilities, poses flooding risks to the surrounding area. 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 PVP (excluding container vehicle) and associated filling of land for a period of three years at the Site zoned "AGR" on the OZP (**Plan A-1**). Whilst the proposed use is not in line with the planning intention of the "AGR" zone and DAFC does not support the application from agricultural perspective, according to the applicant, the proposed use is intended

to provide parking spaces for the villagers/residents nearby, and C for T has no comment on the application from traffic engineering perspective. In view of the above and taking into account the planning assessments below, there is no objection to the proposed use with associated filling of land on a temporary basis of three years.

11.2 The proposal involves regularisation of filling of land/proposed filling of land for the majority of the Site (about 98.6%) with a depth of not more than 0.2m by concrete and gravel (to a site formation level of about +10.5mPD) (**Drawing A-2**) as detailed in paragraph 1.2 above. Filling of land in the "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 DSD has no objection to the application from public drainage perspective, and the Director of Environmental Protection has no comment on the filling of land from environmental perspective subject to the implementation of relevant mitigation measures listed in the 'Recommended Pollution Control Clauses for Construction Contracts'. As the Site is zoned "AGR", an approval condition requiring the reinstatement of the Site upon expiry of the planning permission so as to uphold the planning intention of the "AGR" zone is recommended should the Committee decide to approve the application.

11.3 The Site, which is partly occupied by active farmland and vegetation, and partly hard-paved with two single-storey structures and used for parking of vehicles without valid planning permission, is situated in an area of rural character comprising mainly domestic structures, storage yards, active farmland, plant nursery, vacant land, and tree clusters or vegetated areas (**Plans A-2** to **A-4**). The Site is also located close to Sha Tau Kok Road – Lung Yeuk Tau, directly connected via a short local access on GL (**Plan A-2**). The proposed use is not entirely incompatible with the surrounding environments. The Chief Town Planner/Urban Design and Landscape, Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective, and considered that significant adverse landscape impact arising from the proposed use is not anticipated.

11.4 Other concerned government departments consulted have no objection to or no comment on the application. To address the technical requirements of concerned government departments, appropriate approval conditions are recommended in paragraph 12.2 below. In particular, C for T advises that taking into account the location of the Site and proposed use, and to ensure the safety of the pedestrians and cyclists crossing the ingress/egress of the Site, approval conditions on the submission and implementation of traffic management measures are recommended. Should the planning application be approved, the applicant will also be advised to follow the requirements of the latest 'COP' in order to minimise possible environmental nuisance on the surroundings. Regarding DLO/N, LandsD's concerns on the unauthorised structure outside the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.

11.5 There are seven approved similar applications within or partly within the "AGR" zones on the OZP in the vicinity of the Site in the past five years (**Plan A-1**) as detailed in paragraph 6.2 above. The planning circumstances of the current application are similar to those of the approved applications. Approval of the

current application is in line with the Committee's previous decisions.

11.6 Regarding the 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 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 20.11.2029. The following conditions of approval and advisory clauses are 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 20.5.2027;

(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 20.8.2027;

(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 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;

(e) in relation to (d) 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;

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

(g) if any of the above planning condition (c) or (f) 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;

(h) 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; and

(i) upon expiry of the planning permission, the reinstatement of the site, including the removal of hard paving and fill materials and grassing 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 IV**.

12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the proposed use with associated filling of land 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 to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from such planning intention, 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 the 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 29.9.2026
Appendix Ia	FI received on 4.11.2026
Appendix Ib	FI received on 10.11.2026
Appendix II	Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comments
Drawing A-1	Layout Plan
Drawing A-2	Land Filling Plan
Drawing A-3	Landscape Proposal
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

PLANNING DEPARTMENT
NOVEMBER 2026