

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/HSK/513**

- Applicant** : Treasure Target Limited (寶標有限公司)
- Site** : Various Lots in D.D. 124 and Adjoining Government Land (GL), Ha Tsuen, Yuen Long, New Territories
- Site Area** : About 1,550m<sup>2</sup> (including GL of about 90m<sup>2</sup> or 5.8%)
- Land Status** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Hung Shui Kiu and Ha Tsuen Outline Zoning Plan (OZP) No. S/HSK/2
- Zoning** : “Village Type Development” (“V”)  
[*Restricted to a maximum building height of 3 storeys (8.23m)*]
- Application** : Proposed Temporary Public Vehicle Park (Taxis and Private Cars) with Ancillary Electric Vehicle Charging Facility for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed temporary public vehicle park (taxis and private cars) with ancillary electric vehicle (EV) charging facility for a period of three years at the application site (the Site) zoned “V” on the OZP (**Plan A-1**). According to the Notes for the “V” zone of the OZP, ‘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 hard-paved and vacant (**Plan A-4**).
- 1.2 The Site is accessible from Tin Ha Road via a local access and the ingress/egress point is at the eastern part of the Site (**Drawing A-1 and Plan A-2**). According to the applicant, 35 parking spaces (including 19 parking spaces with EV charging facilities) for taxis and private cars will be provided at the Site. Three temporary single-storey structures (4m in height) with a total floor area of about 447.5m<sup>2</sup> will be provided to house 19 of the parking spaces and EV charging facilities. Two other temporary structures (one to two-storey, 3m to 7m in height) with a total floor area of 293.3m<sup>2</sup> for washroom and office are also proposed within the Site (**Drawing A-1**). The operation hours will be 24 hours daily (including public holidays). The layout plan with vehicular access submitted by the applicant is at **Drawing A-1**.
- 1.3 In support of the application, the applicant has submitted the following documents:

- (a) Application Form with attachments received on 28.3.2024 (Appendix I)
- (b) Supplementary Information (SI) received on 2.4.2024 (Appendix Ia)
- (c) Further Information (FI) received on 28.5.2024\* (Appendix Ib)
- (d) FI received on 2.7.2024\* (Appendix Ic)

*\*Accepted and exempted from publication and recounting requirements*

1.4 On 24.5.2024, the Committee agreed to defer making a decision on the application for two months as requested by the applicant.

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Application Form with attachments and SI at **Appendices I and Ia**. They can be summarised as follows:

- (a) the proposed public vehicle park, which would provide car parking spaces with EV charging facilities for taxis and private cars, is generally in-line with the government policy on promotion of EVs. It can also meet the increasing demand for commercial EV parking with charging facilities;
- (b) the proposed use is temporary in nature which would not jeopardise the long-term planning intention of the Site; and
- (c) sufficient manoeuvring space will be provided within the Site. No light goods vehicles, medium goods vehicle, heavy goods vehicle and container tractor/trailer would be allowed to be parked at the Site. No vehicle washing, repairing, dismantling, paint spraying or other workshop activity and no storage of combustible or toxic materials will be allowed at the Site. The traffic and environmental impacts generated by the proposed use would be insignificant.

## **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 posting site notice and sending notice to the Ha Tsuen Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the requirements as set out in TPB PG-No. 31B are not applicable.

## **4. Background**

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

## **5. Previous Application**

The Site is the subject of a previous application No. A/HSK/299 for filling of land for 33 Permitted Houses (New Territories Exempted House (NTEH)) which was approved with

conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 14.5.2021. The considerations for this application are not relevant to the current application which is for a different use. Details of the previous application are summarised at **Appendix II** and its boundary is shown on **Plan A-1**.

## **6. Similar Application**

There is a similar application involving public vehicle park use within the subject “V” zone in the past five years. Application No. A/HSK/354 for proposed temporary public vehicle park (excluding container vehicles) was approved with conditions by the Committee for a period of five years on 18.2.2022 on the grounds that the temporary approval would not frustrate the long-term planning intention of the “V” zone; the proposed use was considered not incompatible with the surrounding land uses; there was no adverse comment from concerned government departments and the technical concerns could be addressed by approval conditions. Details of the similar application are summarised at **Appendix II** and its location is 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 Tin Ha Road via a local access; and
- (b) currently hard-paved and vacant.

7.2 The surrounding areas comprise predominately residential dwellings and village settlement of Tin Sum Tsuen intermixed with warehouses, an open storage yard, a rural workshop and unused land. Some of these uses are suspected unauthorized developments subject to planning enforcement action.

## **8. Planning Intention**

The planning intention of “V” zone is to reflect existing recognised and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this 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 NTEH. Other commercial, community and recreational uses may be permitted on application to the Board.

## **9. Comments from Relevant Government Departments**

9.1 Apart from the Government department as set out in paragraph 9.2 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 in the Recommended Advisory Clauses are provided in **Appendices III and IV** 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; and
- (b) the applicant should note her advisory comments at **Appendix IV**.

## **10. Public Comment Received During Statutory Publication Period**

On 5.4.2023, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

## **11. Planning Considerations and Assessments**

- 11.1 The application is for proposed temporary public vehicle park (taxis and private cars) with ancillary EV charging facility for a period of three years at the Site zoned “V” on the OZP (**Plan A-1**). Whilst the proposed use is not entirely in line with the planning intention of the “V” zone, it can help to meet the local demand for parking spaces. The District Lands Officer/Yuen Long of Lands Department advises that there is no Small House application approved/ under processing within the Site. Regarding the proposed public vehicle park with ancillary EV charging facilities, the Secretary for Environment and Ecology has no adverse comment from EV charging perspective while the Commissioner for Transport supports the proposed use from traffic engineering perspective. In view of the above, approval of the application on a temporary basis of three years would not jeopardise the long-term intention of the “V” zone.
- 11.2 The applied use is considered not incompatible with the surrounding land uses which are predominantly residential dwellings and village settlement of Tin Sum Tsuen intermixed with warehouses, open storage yard, rural workshop and unused land (**Plan A-2**).
- 11.3 Other concerned departments including the Director of Environmental Protection, Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department have no objection to/ no adverse comment on the application from environmental, fire safety and drainage perspectives respectively. To address the technical requirements of the concerned departments, relevant approval conditions are recommended in paragraph 12.2 below.
- 11.4 A similar application for temporary public vehicle park had been approved by the Committee in the past five years. Approval of the current application is generally in line with the previous decision of the Committee.

## **12. Planning Department’s Views**

- 12.1 Based on the assessments made in paragraph 11, the Planning Department 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 **19.7.2027**. 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 **19.1.2025**;
- (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 **19.4.2025**;
- (c) in relation to (b) above, the implemented drainage facilities within the Site 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 **19.1.2025**;
- (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 **19.4.2025**;
- (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 above 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 attached 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 development is not in line with the planning intention of the "Village Type Development" zone which is primarily to designate both existing recognized villages and areas of land considered suitable for village expansion. There is no strong justification to deviate from the 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 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**

<b>Appendix I</b>	Application Form with attachments received on 28.3.2024
<b>Appendix Ia</b>	SI received on 2.4.2024
<b>Appendix Ib</b>	FI received on 28.5.2024
<b>Appendix Ic</b>	FI received on 2.7.2024
<b>Appendix II</b>	Previous and Similar Applications
<b>Appendix III</b>	Government Departments' General Comments
<b>Appendix IV</b>	Recommended Advisory Clauses
<b>Drawing A-1</b>	Layout Plan with Vehicular Access
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a and A-4b</b>	Site Photos

**PLANNING DEPARTMENT  
JULY 2024**