

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-KLH/645

- Applicant** : Mr. ZHANG Zhewei represented by Mr. WONG Sun Wo William
- Site** : Lot 42 (Part) in D.D. 7, Tai Po, New Territories
- Site Area** : About 2,504m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kau Lung Hang Outline Zoning Plan (OZP) No. S/NE-KLH/11
- Zoning** : “Village Type Development” (“V”)
- Application** : Proposed Temporary Public Vehicle Park (Private Cars Only) with Ancillary Facilities for a Period of Five Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary public vehicle park (private cars only) with ancillary facilities for a period of five years at the application site (the Site) falling within an area zoned “V” on the OZP (**Plan A-1**). According to the Notes of the OZP, ‘public vehicle park (excluding container vehicle)’ is a Column 2 use within “V” zone requiring 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 via a local track leading to Tai Wo Service Road West (**Plan A-1**). According to the applicant, the proposed use comprises 113 parking spaces for private cars (5m (L) x 2.5m (W) each), with ancillary facilities including a single-storey site office (15m² in size and 3.5m in height) and a single-storey meter room (20m² in size and 3.5m in height). The public vehicle park operates 24 hours daily. The site layout plan with vehicular access points submitted by the applicant is shown 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 (**Appendix I**)
8.10.2024
 - (b) Further information (FI) received on 17.12.2024* (**Appendix Ia**)
 - (c) FI received on 23.1.2025* (**Appendix Ib**)

** accepted and exempted from publication and recounting requirements*

- 1.4 On 6.12.2024, the Rural and New Town Planning Committee (the Committee) of the Board agreed to the applicant's request to defer making a decision on the application for two months.

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 Site is within close proximity of several villages and can relieve the shortage of car parking spaces in the area;
- (b) the proposed use will not cause adverse traffic impact. Appropriate layout design and measures will be conducted to avoid traffic congestion; and
- (c) Car repairing, scrapping and washing activities are prohibited at the Site. The operation of the vehicle park will comply with the relevant control measures of water gathering grounds under Waterworks Ordinance.

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 obtaining the consent of current land owners. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

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

5. Previous Application

There is no previous application at the Site.

6. Similar Applications

- 6.1 There are four similar applications (No. A/NE-KLH/601, 606, 607 and 647) for temporary public/private vehicle parks (private cars only) within the same “V” zone in the vicinity of the Site in the past five years. All the applications were approved with conditions between 2021 and 2024 mainly on the considerations that the applied use would not frustrate the long-term planning intention of the “V” zone and affect the implementation of Small House developments; would not be incompatible with the surrounding areas; no significant adverse impact arising from the applied use was anticipated; and approving the application

would facilitate regularisation of the use, putting them under proper control and monitoring through imposition of planning conditions.

- 6.2 Details of the similar applications are summarised at **Appendix II** and their locations are shown on **Plans A-1** and **A-2**.

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

- 7.1 The Site is:

- (a) flat, hard-paved and currently vacant (**Plan A-4**); and
- (b) accessible by a local track leading to Tai Wo Service Road West.

- 7.2 The surrounding areas are predominantly rural in character with village houses, car parks and vacant land (**Plans A-2** and **A-3**).

8. Planning Intention

The planning intention of the “V” zone is primarily to designate both existing recognized villages and areas of land considered suitable for village expansion. 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.

9. Comments from Relevant Government Departments

- 9.1 Apart from the government department as set out in paragraph 9.2 below, other government 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 at **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 in view of the parking demand in the vicinity; and
- (b) her advisory comments are at **Appendix IV**.

10. Public Comments Received During Statutory Publication Period

On 18.10.2024, the application was published for public inspection. During the statutory public inspection period, 41 public comments were received from local villagers and individuals. Among them, 34 comments (**Appendix Va**) object to the application mainly for the reasons that there are already several car parks nearby which can support the demand of the villagers; additional public car park will attract vehicles from areas outside Tai Hang Village causing adverse traffic and safety impacts; the proposed use will cause adverse environmental impact and does not provide sufficient drainage facilities; and there is structural safety issue in the Site. The remaining 7 comments (**Appendix Vb**) raise concerns on the road safety and the potential traffic congestion associated with the proposed use; and the nuisance, visual impact and safety issue induced by the proposed meter room in the Site which is too close to the residents.

11. Planning Considerations and Assessments

11.1 The application is for proposed temporary public vehicle park (private cars only) with ancillary facilities for a period of five 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 which is primarily for development of Small Houses by indigenous villagers, it can provide car parking spaces to meet the local parking demand. C for T supports the application in view of the parking demand in the vicinity. Besides, the District Lands Officer/Tai Po of Lands Department has no objection to the application and advises that there is no Small House application received for the Site. Taking into account the planning assessments below, approval of the application on a temporary basis for a period of five years would not frustrate the long-term planning intention of the “V” zone.

11.2 The Site is flat, hard-paved and currently vacant. The proposed use comprising 113 parking spaces for private cars is considered not incompatible with the surrounding village settings which are predominantly village houses, car parks and vacant land (**Plans A-2 and A-3**). The Director of Environmental Protection has no comment on the application and advises that no environmental complaint in relation to the Site has been received in the past three years. Whilst the Site falls within the upper indirect Water Gathering Grounds (WGG), the Chief Engineer/Construction of Water Supplies Department has no objection to the application and advises that the applicant shall implement preventive, control and mitigation measures identified in the accepted risk assessment report on pollution or contamination to the WGG. Other relevant government departments consulted including the Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services have no objection to/no adverse comment on the application. To address the technical requirements of concerned departments, appropriate approval conditions are recommended in paragraph 12.2 below. The applicant will also be advised to follow the ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ to minimise any potential environmental nuisance caused by the proposed use.

11.3 There are four similar applications (No. A/NE-KLH/601, 606, 607 and 647) for

temporary public/private vehicle parks (private cars only) within the same “V” zone in the past five years. All were approved by the Committee between 2021 and 2024 mainly on similar considerations as stated in paragraph 6.1 above. Approving the current application is in line with the Committee’s previous decisions.

- 11.4 Regarding the public comments as detailed in paragraph 10 above, 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 above and having taken into account the public comments mentioned in paragraph 10 above, 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 five years until 14.2.2030. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval Conditions

- (a) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Board by 14.8.2025;
- (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 14.11.2025;
- (c) in relation to (b), the implemented drainage facilities on 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 14.8.2025;
- (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 14.11.2025;
- (f) the implementation of preventive, control and mitigation measures on pollution or contamination to the Water Gathering Grounds as identified in the accepted risk assessment report within 9 months from the date of planning approval to the satisfaction of the Director of Water Supplies or of the Town Planning Board by 14.11.2025;
- (g) if any of the above planning condition (a), (b), (d), (e) or (f) 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

- (h) 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.

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 is not in line with the planning intention of the "Village Type Development" zone which is to provide land primarily for development of Small Houses by indigenous villagers. 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 8.10.2024
Appendix Ia	FI received on 17.12.2024
Appendix Ib	FI received on 23.1.2025
Appendix II	Similar applications
Appendix III	Government departments' general comments
Appendix IV	Recommended advisory clauses
Appendix Va	Public comments object to the application
Appendix Vb	Public comments raise concerns on the application
Drawing A-1	Site layout plan submitted by the applicant
Plan A-1	Location plan

Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Site photos

**PLANNING DEPARTMENT
FEBRUARY 2025**