

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-KLH/649

- Applicant** : Global Mining Engineer Group Company Limited represented by Dr. C S Lau
Engineering Consultant Limited
- Site** : Lot 37 RP (Part) in D.D. 7, Tai Po, New Territories
- Site Area** : About 992m²
- 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 (excluding Container Vehicles) with
Ancillary Electric Vehicle Charging Facilities and Utility Installation for Private
Project (Solar Photovoltaic System) for a Period of 5 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary public vehicle park (PVP) (excluding container vehicles) with ancillary electric vehicle (EV) charging facilities and utility installation for private project (solar photovoltaic system) 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, ‘PVP (excluding container vehicle)’ is a Column 2 use within “V” zone requiring planning permission from the Town Planning Board (the Board). The covering Notes of the OZP also stipulates that all uses directly related and ancillary to the permitted uses and developments within the same zone are always permitted and no separate permission from the Board is required. The Site is currently hard-paved and largely vacant (**Plan A-4**).
- 1.2 The Site is accessible via a local track leading to Tai Wo Service Road West (**Plans A-1 and A-2**). According to the applicant, the proposed use comprises 25 parking spaces for private cars (5m (L) x 2.5m (W) each) and two parking spaces for 19-seat electric buses (8m (L) x 3m (W) each), of which 11 private car parking spaces and two electric bus parking spaces will be equipped with ancillary EV charging facilities (**Drawing A-1**). Also, there will be 65 solar panels (2.3m (L) x 1.1m (W) x 0.04m (H) each) forming a solar photovoltaic shelter over the 11 private car parking spaces (180m² in size and 3m in height), and four panels on the top of a single-storey electricity meter room (15m² in size and 3m in height) (**Drawing A-1**) to provide electricity to the subject car park. There is also an existing electrical transformer tower erected by CLP Power

Hong Kong at the Site to provide electricity to the nearby villages, which does not form part of this application. The proposed PVP operates 24 hours daily. The site layout plan 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 2.12.2024 (**Appendix I**)
- (b) Letter from the applicant received on 15.1.2025 to inform the Board for change of authorized agent (**Appendix Ia**)
- (c) Further information (FI) received on 27.1.2025[#] (**Appendix Ib**)
- (d) FI received on 25.2.2025 and 26.2.2025* (**Appendix Ic**)

** accepted and exempted from publication and recounting requirements*

[#] accepted but not exempted from publication and recounting requirements

1.4 On 24.1.2025, 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, Ib** and **Ic**, as summarised below:

- (a) as the village houses near the Site usually do not have parking spaces, the proposed use can relieve the shortage of car parking spaces in the area;
- (b) the provision of ancillary EV charging facilities and solar photovoltaic system at the Site, which would generate renewable energy for the use of internal facilities of the proposed car park, coincides with the Government's prevailing "Zero-Carbon" policy; and
- (c) the applicant will comply with all relevant requirements and regulations as required by the government departments and bureaux to minimise adverse traffic, drainage, environmental, landscape and fire safety impacts to the surroundings.

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 owner. 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 five similar applications (No. A/NE-KLH/601, 606, 607, 645 and 647) for temporary public/private vehicle parks (private cars only) (all without ancillary EV charging facilities and solar photovoltaic system) 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 2025 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 mostly vacant with an existing electrical transformer tower and a container along the eastern boundary of the Site (**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, storage uses, plant nursery 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 Bureau/Departments

9.1 Apart from the government bureau and department (B/D) as set out in paragraph 9.2 below, other B/Ds 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 bureau and department support the application:

Policy Aspect

9.2.1 Comments from the Secretary for Environment and Ecology (SEE):

- (a) he supports the development of renewable energy systems, including the proposed solar photovoltaic system under the application involving installation of 69 solar panels at the Site. The application, if approved, could help achieving the Government's carbon neutrality target;
- (b) all parking spaces for private cars at the Site are suggested to be equipped with EV chargers with output power of not less than 7kW (i.e. medium chargers); and
- (c) his advisory comment is at **Appendix IV**.

Traffic

9.2.2 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 10.12.2024 and 7.2.2025, the application was published for public inspection. During the statutory public inspection periods, 134 public comments were received from local villagers and individuals. Among them, 126 comments (**Appendix Va**) from Chairman of Tai Hang Village Office, 95 Tai Hang Villagers and 30 individuals indicate support to the application on the grounds that the proposed PVP can promote sustainable development in Hong Kong and use of green energy and green traffic which echoes environmental and energy policies; relieve shortage of parking spaces in the village; meet the local demand on EV charging facilities and improve traffic condition and living quality. While one comment (**Appendix Vb**) from an individual object to the application mainly for the reason that the proposed use will cause nuisance, adverse traffic impact and safety issues, the remaining seven comments (**Appendix Vc**) show positive views on provision of EV charging facilities and the proposal can fully utilise the resources for maximising the benefits of the Site.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary PVP (excluding container vehicles) with ancillary EV charging facilities and utility installation for private project (solar photovoltaic system) 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. Also, the provision of EV charging facilities and solar photovoltaic system to support the car park use within the Site are in line with the Government’s prevailing environmental policies. SEE supports the application which helps achieving carbon neutrality target and promote wider adoption of EVs. 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 hard-paved and largely vacant. The proposed use comprising 27 parking spaces for private cars and electric buses is considered not incompatible with the surrounding village settings which are predominantly village houses, car parks, storage uses, plant nursery 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 or 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 five similar applications for temporary public/private vehicle parks (private cars only) (all without ancillary EV charging facilities and solar photovoltaic system) within the same “V” zone in the past five years. All were approved by the Committee between 2021 and 2025 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, the government departments’ comments and 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, 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 14.3.2030. 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 Town Planning Board by 14.9.2025;
- (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 14.12.2025;
- (c) in relation to (b) above, 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 14.9.2025;
- (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 14.12.2025;
- (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 14.12.2025;
- (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 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 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 2.12.2024
Appendix Ia	Letter from the applicant received on 15.1.2025 to inform the Board for change of authorized agent
Appendix Ib	FI received on 27.1.2025
Appendix Ic	FI received on 25.2.2025 and 26.2.2025
Appendix II	Similar applications
Appendix III	Government departments' general comments
Appendix IV	Recommended advisory clauses
Appendix V	Public comments
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