

**Section 16 Planning Application for Proposed  
Temporary Village Car Park for Private Electric Vehicle Only  
with Electric Vehicle Charging Facilities  
for a Period of 3 Years, Lot 645 RP (Part) in D.D. 9, Yuen Leng, Tai Po**

**PLANNING STATEMENT**



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## Executive Summary

In view of the genuine demand for car parking spaces for the villagers of Yuen Leng Village, and no suitable site is available for an additional car park within the village, Mr. Li Sai Hang – the indigenous villager of Yuen Leng Village and the member of executive committee of Tai Po Rural Committee, has spent effort in identifying suitable sites for a village car park in the area. This section 16 planning application is submitted by Toco Planning Consultants Ltd. on behalf of the Applicant to seek permission from the Town Planning Board for a proposed temporary village car park for private electric vehicle (EV) only with 20 parking spaces and EV charging facilities for a period of 3 years at Lot 645 RP (part) in D.D. 9, Yuen Leng, Tai Po. The application site is about 925.45m<sup>2</sup> in area and is zoned “Agriculture” (“AGR”) on the approved Kau Lung Hang Outline Zoning Plan No. S/NE-KLH/11.

Planning assessment shows that the application site is well suitable for the proposed village car park with EV charging facilities since it has long been hard paved with no vegetation for a long period of time. It has a direct vehicular access to a local track leading to Tai Wo Service Road East. Being adjacent to the village proper, the proposed uses are compatible with the adjacent land uses which are predominantly village houses, temporary structures and vacant land. It will not result in any significant adverse impacts on the traffic, environmental, drainage, sewerage and landscape aspects of the locality. Being temporary in nature, the approval of this small village car park will not set an undesirable precedent for similar applications and frustrate the long-term planning intention of “AGR” zone. It will help relieve the current parking problem in Yuen Leng Village and have positive impact to the traffic condition in the village by reducing the illegal roadside parking and the safety risk of vehicle-pedestrian conflicts, traffic deadlock situation and blockage of emergency vehicles. It will also help meet the genuine demand more EV charging facilities to serve the EV users in Yuen Leng Village, and encouraging local villagers to gradually transition from using traditional gasoline-powered vehicles to EVs to decrease the potential environmental impact caused by traditional vehicles.

## 行政摘要

(內容如有差異，應以英文版本為準)

鑒於元嶺村村民的村民對停車位的切實需求，但村內沒有可用的適合土地作額外停車場，因此李世恆先生作為元嶺村原居村民兼大埔鄉事委員會執行委員，不遺餘力地在當地物色合適地點作村用停車場。申請人於是透過達材都市規劃顧問有限公司，根據城市規劃條例第 16 條向城市規劃委員會遞交規劃許可申請，以准許在丈量約份第 9 約地段第 645 號餘段（部份），擬作為期 3 年的臨時私家車之村用停車場，以提供 20 個泊車位給電動私家車及電動車充電設施。申請地點面積約有 925.45 平方米，在九龍坑分區計劃大綱核准圖編號 S/NE-KLH/11 上被訂為「農業」地帶。

規劃評估指出，由於申請地點長久以來都有硬地鋪裝並且沒有植被，加上有車輛通道連接小徑以通往大窩東支路，因此非常適合用作擬建的村用停車場兼電動車充電設施。而申請地點毗鄰村莊，周邊地方主要是村屋、臨時構築物和空地，因此擬議用途不會與毗連土地利用不相協調，同時亦不會對區內的交通、環境、排水、排污及園景造成不良影響。另外，因擬議用途屬臨時性，所以批准是次細小的村用停車場不會為類似申請立下不良先例，從而影響「農業」地帶的長遠規劃意向。相反，本計劃不但能舒緩元嶺村對電動私家車的充電設施需求，而且有助改善現時元嶺村的泊車問題，及減少路旁違例泊車及減低安全風險包括人車爭路、對頭車情況及阻塞緊急車輛通道，對村內交通情況有正面效果。本計劃有助鼓勵本地村民漸漸由傳統燃油車改為電動車，以減低傳統車對環境的潛在影響。

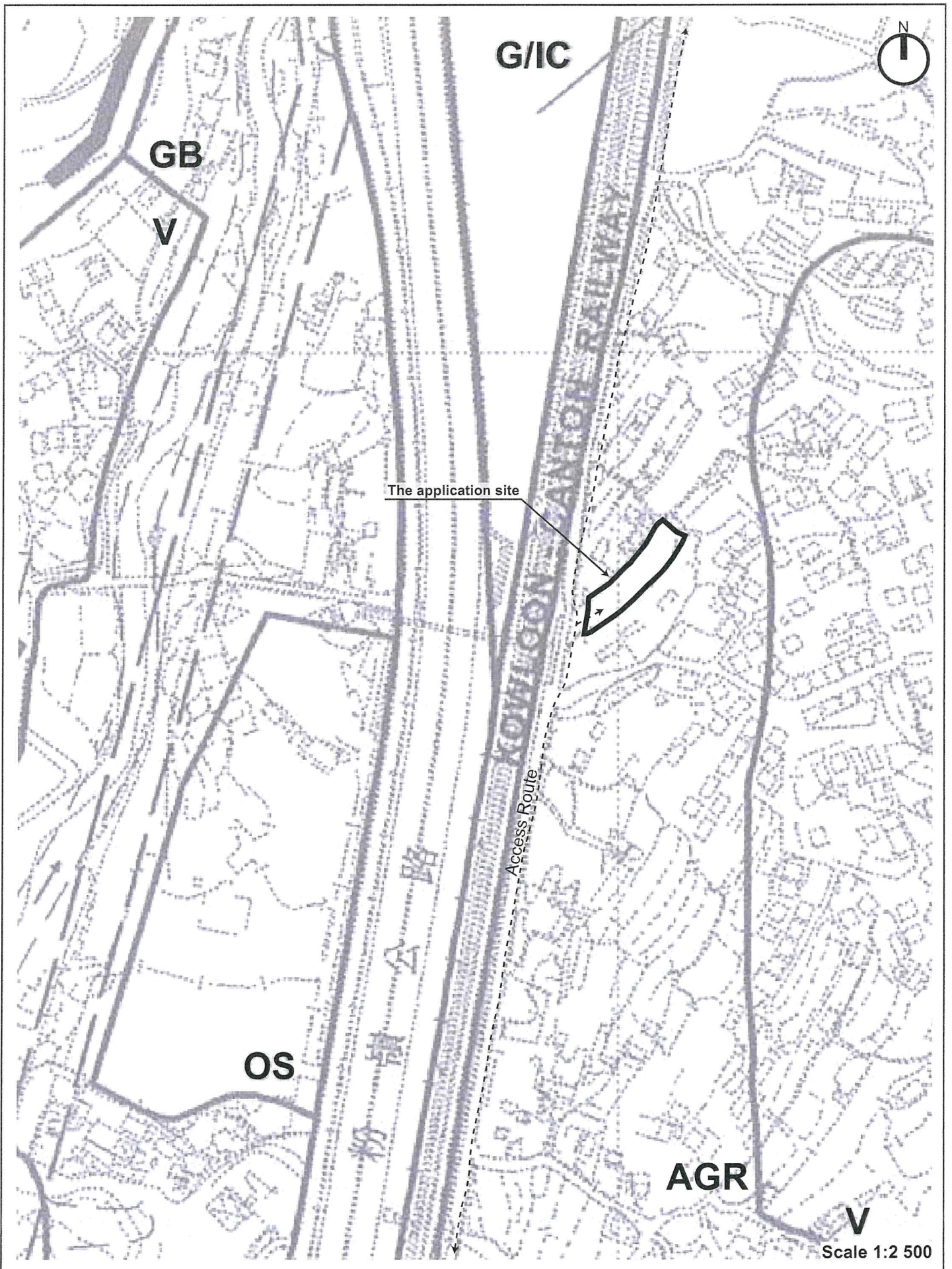
## 1. INTRODUCTION

This section 16 (s.16) planning application is submitted by Toco Planning Consultants Ltd. (TOCO) on behalf of Mr. Li Sai Hang (the Applicant), who is an indigenous villager of Yuen Leng Village and the member of executive committee of Tai Po Rural Committee. It seeks the permission of the Town Planning Board (the Board/ TPB) for a proposed temporary village car park for private electric vehicle (EV) only with 20 parking spaces and EV charging facilities for a period of 3 years at Lot 645 RP (part) in D.D. 9, Yuen Leng, Tai Po. The application site is about 925.45m<sup>2</sup> in area and is zoned "Agriculture" ("AGR") on the approved Kau Lung Hang Outline Zoning Plan (OZP) No. S/NE-KLH/11 (**Plan A**).

The application site is located in Yuen Leng Village which is a well-established local village with a number of residential dwellings. In view of its relatively remote location with limited public transportation nearby, as well as increasing use of EVs and insufficient vehicle parking spaces/ suitable area for providing additional village car park in Yuen Leng Village, this resulted in a genuine demand for parking spaces for EV to serve the local residents in the village. Currently, there is a number of illegal roadside parking inside the village which creates vehicle-pedestrian conflicts.

Over the years, the Applicant has spent effort in identifying suitable sites for a village car park and finally Lot 645 RP (part) in D.D. 9 right next to the village core is considered to be the most suitable choice. The application site is accessible by proper access and has been paved for a very long time. Planning and technical assessments have been conducted and shown that the proposed temporary scheme under this application is well justified based on the following reasons:-

- (a) it is in line with the policy's initiative to promote the adoption of EVs and their associated supporting facilities in Hong Kong;
- (b) it will encourage the villagers to transition from using traditional gasoline-powered vehicles to EVs so as to decrease the potential environmental impact caused by traditional cars;
- (c) it will help relieving the genuine demand for parking spaces to serve the villagers in the area;
- (d) it would have positive impact to the traffic condition within the village by reducing the illegal roadside parking and minimizing vehicle-pedestrian conflicts;
- (e) it, being located right next to the village core and along the carriageway, is compatible with the adjacent land uses without affecting the "AGR" zone;
- (f) the application site is suitable for the proposed use since it is highly accessible by vehicles, already paved with power supply facilities and no vegetation;
- (g) the small scale development will not result in any significant traffic, environmental, drainage, sewerage and landscape impacts; and
- (h) in view of the policy initiatives, special existing conditions, temporary use in nature and similar approved cases in the area, approval of the present application will not set an undesirable precedent for similar applications and frustrate the long-term planning intention of the "AGR" zone.



# Plan A: Zoning and Location Plan

Extract of Approved Kau Lung Hang Outline Zoning Plan No.S/NE-KLH/11

## **2. PLANNING BACKGROUND**

### **2.1 Site Location and Accessibility (Plan A)**

The application site is located at the western fringe of Yuen Leng Village, Tai Po. It is bounded by a footpath to the northwest (**Photo 7**); paved area with some domestic structures (and fenced off) to the northeast; a piece of vacant land with turf (and fenced off) to the southeast; and a local track to the southwest. The site is accessible via local track (**Photo 6**) leading to Tai Wo Service Road East.

### **2.2 Site and Adjacent Land Uses (Plan B)**

The application site has a total area of about 925.45m<sup>2</sup> and is currently vacant. It is hard paved, flat and fenced off (**Photo 2 - Photo 5**). There are no trees in the site. The current vehicular ingress/egress access is located at the south-western corner of the site (**Photo 1**).

The surrounding land uses are predominantly rural in character intermixed with village houses, temporary structures and vacant land. The village proper of Yuen Leng Village is located immediate east of the site (**Photo 8**). It is noted that majority portion of the internal access roads inside the village are relatively narrow with a number of illegal roadside parking.

### **2.3 Planning History**

The application site is zoned "AGR" on the approved Kau Lung Hang OZP No. S/NE-KLH/11. According to the Notes of the OZP, the planning intention of this zone is primarily to retain and safeguard good quality agricultural land/ farm/ fish ponds for agricultural purposes. The proposed temporary village car park for private EV only with EV charging facilities for a period of 3 years requires planning permission from the Board.

The Notes of the OZP also states that any filling of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes, shall not be undertaken or continued on or after the date of gazetting the notice of the draft Kau Lung Hang OZP No. S/NE-KLH/9 (i.e. 1.4.2005) without the permission from the Board under s.16 of the Town Planning Ordinance. Since the application site has long been hard paved before 2005, the hard paved area covering the site could be regarded as an "Existing Use".

### **2.4 Land Status (Plan B)**

The application site involves Lot 645 RP (part) in D.D. 9. The subject private lot is an Old Scheduled Agricultural Lot under Block government Lease. After this s.16 planning application is approved by the Board, the Applicant will submit a Short Term Waiver application to the Lands Department (LandsD) to allow the proposed use at the site.





Photo 1: Site entrance.



Photo 2: Western corner of the site.



Photo 3: South-western part of the site.

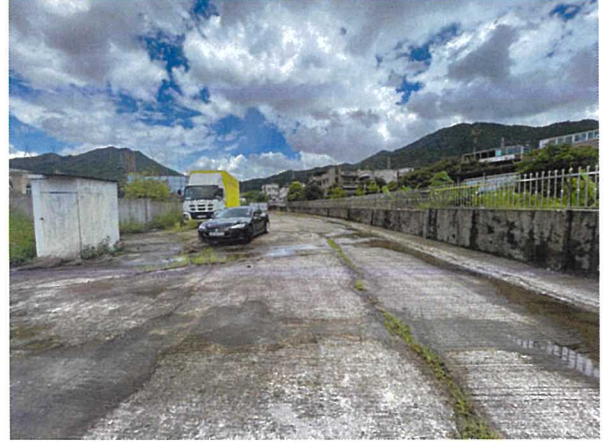


Photo 4: Central part of the site.



Photo 5: North-eastern part of the site.



Photo 6: Accessible via local track.



Photo 7: Footpath north of the site.



Photo 8: Yuen Leng Village.



## Site Photos

(View Points Shown on Plan B)



### 3. DEVELOPMENT PROPOSAL

A layout plan for the temporary use proposal is attached in **Plan C**. It has the following facilities and operation:-

(i) **Car Parking Layout**

With a total application site area of 925.45m<sup>2</sup>, there will be 20 parking spaces (measuring 2.5m x 5m each) within the site for the parking of private EVs only. There will be EV charging facilities provided on-site and the supporting facilities, such as meter cabinets and outdoor H-pole switchgear demarcation (samples attached in **Plan D**), will be located near the entrance of the site. Apart from a proposed small structure which is intended to store the meter's cabinet and its supporting facilities (with a maximum size of 2.65m (W) x 4.4m (L) x 2.5m (H)), no other structure or kiosk will be erected on the site.

Since the application site is already hard paved and is relatively flat, no land filling will be involved for the proposed car park. Only minor excavation of not more than 1m at specific locations will be involved to facilitate installation of the proposed meter cabinets, outdoor H-pole switchgear demarcation and the minor drainage channel. The existing boundary fence in the site will be maintained while the site entrance is proposed to be slightly shifted eastward. The back door of the site (i.e. northeast of the site) will not be sealed so as to allow the adjacent landowners freely enter their land at anytime.

(ii) **Access Arrangement**

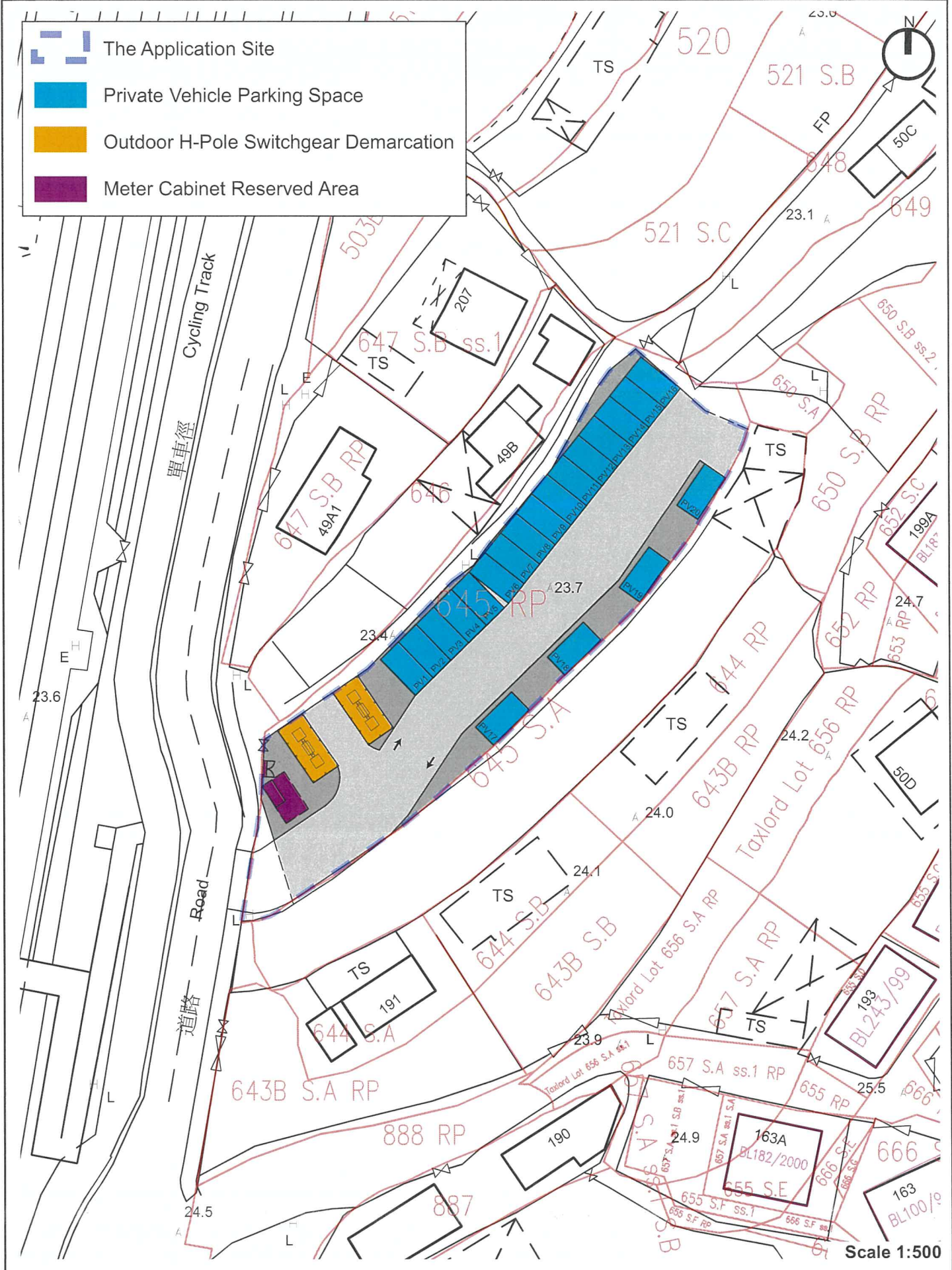
The application site is accessible via local track leading to Tai Wo Service Road East. The existing ingress/ egress of the site will be shifted eastward for about 3m - 5m and its width will be widened from 4.5m to 6m to allow sufficient space for vehicles access the site. A preliminary swept path analysis has been provided in **Plan E** to ensure ease of vehicle manoeuvring within the proposed scheme.

(iii) **The Operation**

The proposed temporary car park is anticipated to be completed by the fourth quarter of 2024 in view of the small scale development and no site formation will be required. It will only be available for the use of villagers of Yuen Leng Village and the payment procedure shall be made in the Rural Committee/ Village Office. Similar to the normal practice of the local villages in the N.T., the proposed village car park will be on payment of a fee on monthly basis. The operation hours of the car park will be 24 hours per day.

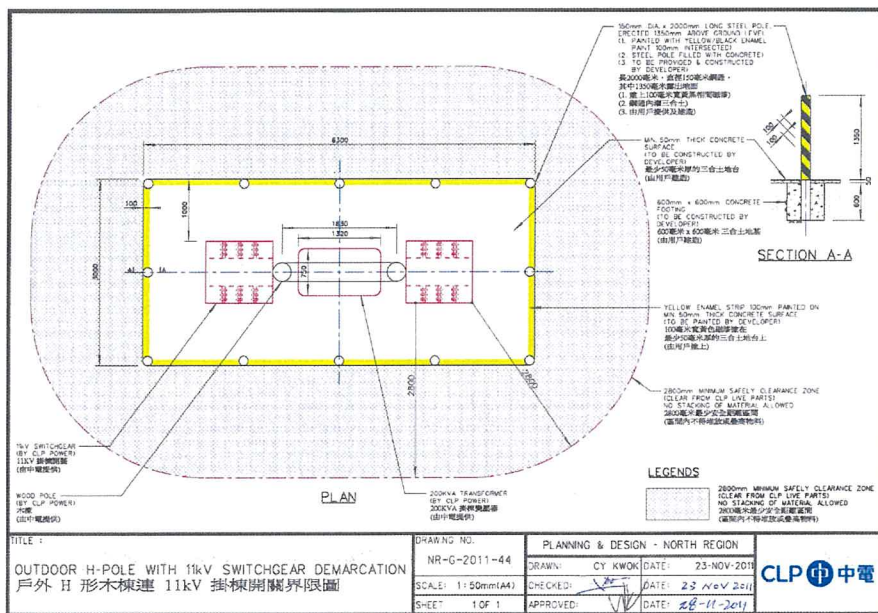
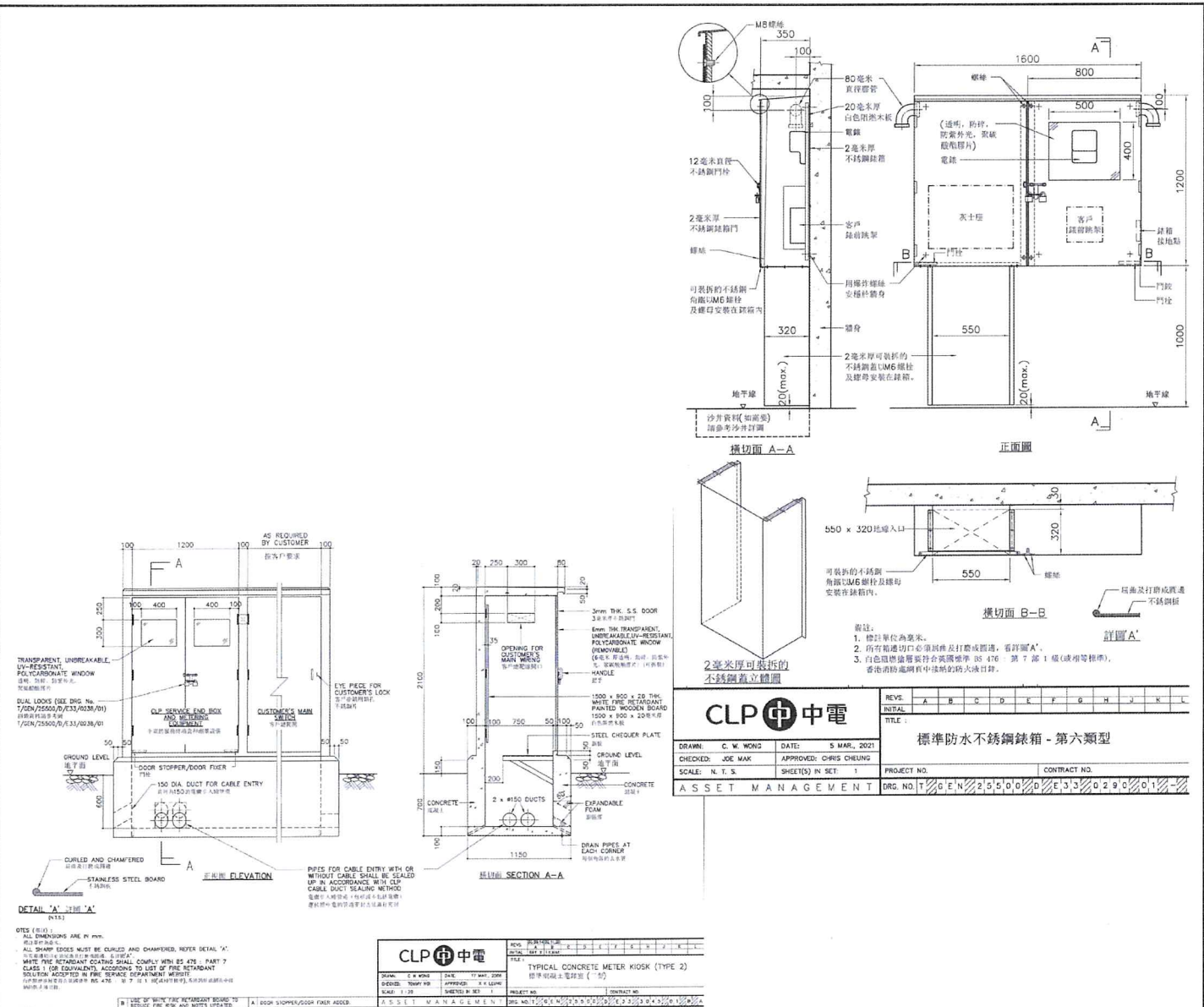
(iv) **Environmental Consideration**

No car washing, vehicle repair, dismantling, paint spraying or other workshop activities will be allowed within the application site. Besides, no toilet facility will be provided on-site. The Applicant will follow the latest "Code of Practice on Handling Environmental Aspects of Open Storage and Temporary Uses" issued by



### Plan C: Layout Plan

(For Indicative Purpose Only)



# Plan D: Samples of the Supporting Facilities for Electric Vehicle Charging Station

Not to Scale



# Plan E: Preliminary Swept Path Analysis

Environmental Protection Department (EPD) and comply with all environmental protection/ pollution control ordinances, in particular the Water Pollution Control Ordinance (WPCO).

**(v) Drainage Consideration**

Perimeter drainage channels (i.e. 500mm) will be provided on site and connect to existing underground stormwater drain along the local track to the satisfaction of the Drainage Services Department (DSD). Drainage proposals will be submitted upon approval of this s.16 planning application. A qualified engineer shall be engaged in the detailed design stage to provide designs for the internal site drainage layout and the drainage connection between the site and the existing drainage system in the vicinity.

**(vi) Fire Safety Arrangement**

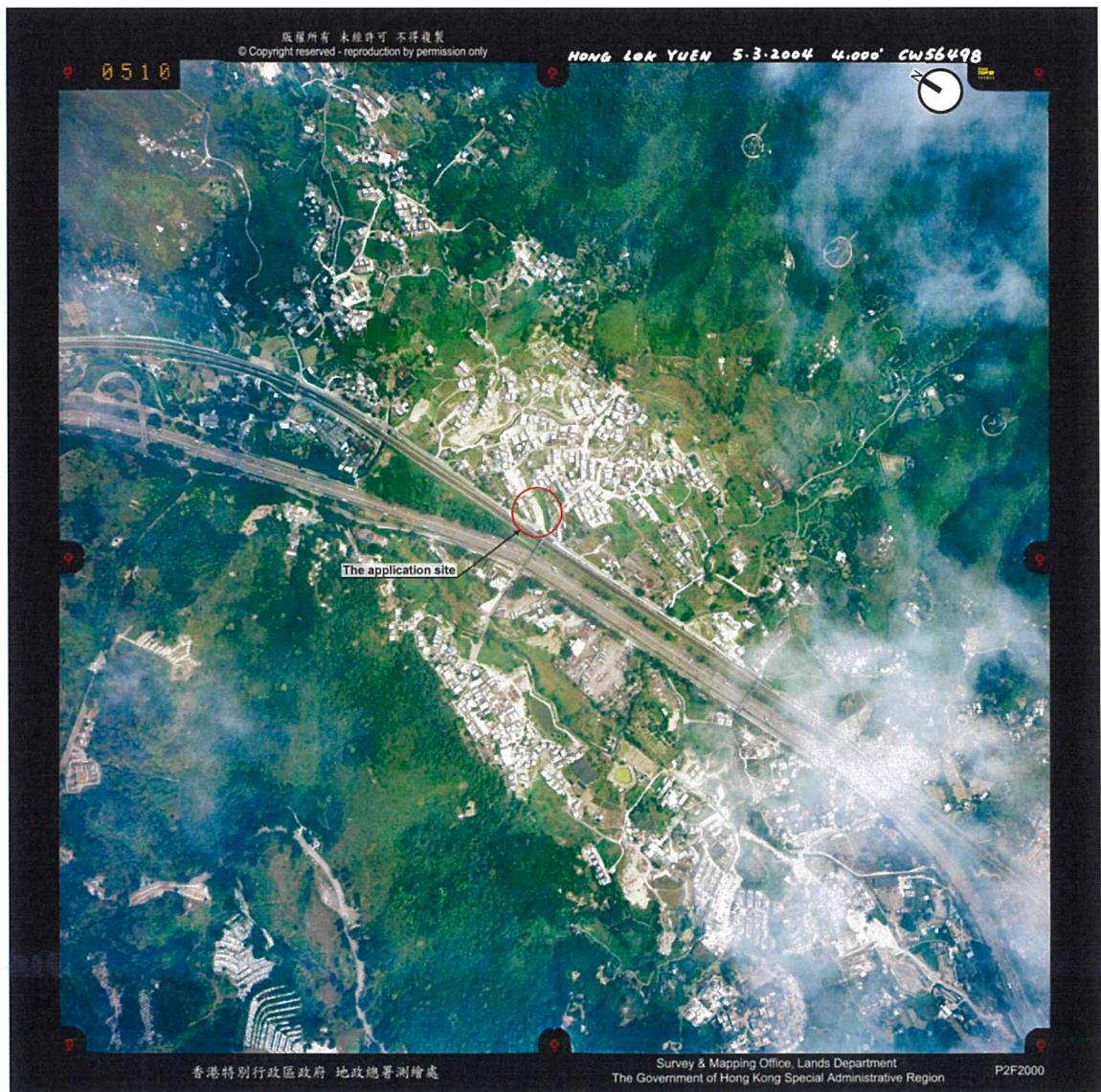
Fire protection facilities such as fire extinguishers will be provided at the site to meet the standards of relevant departments.

## 4. PLANNING JUSTIFICATION

### 4.1 Background of the Application Site

The application site is located at the western fringe of Yuen Leng Village and is accessible via local track (two-way vehicular access) leading to Tai Wo Service Road East. Although the application site is currently zoned “AGR” on the approved Kau Lung Hang OZP, it has a unique site character that the site has long been hard paved with no vegetation for more than 30 years. The aerial photo dated 5.3.2004 below has clearly shown that the application site was clear with no vegetation before 2005 and is similar to the present site configuration.

As described in **Section 2.3**, such filling of land exists on or before 1.4.2005 could be regarded as an “Existing Use”. Besides, the application site does not function as an “AGR” site after the statutory plan came into force on 24.8.1990. The site is paved and has low potential for agricultural rehabilitation.



## **4.2 Strong Demand for Electric Vehicle Car Parking Spaces in Yuen Leng Village**

The application site is situated at the western fringe of Yuen Leng Village, which is a well-established local village with a number of residential dwellings. It is located at a relatively remote area with very limited public transportation nearby. This resulted in a genuine demand for parking spaces for the local villagers in the area. With the increase use of EVs in the area, there is currently a lack of vehicle parking spaces with charging facilities and also insufficient suitable area for providing an additional village car park inside the village.

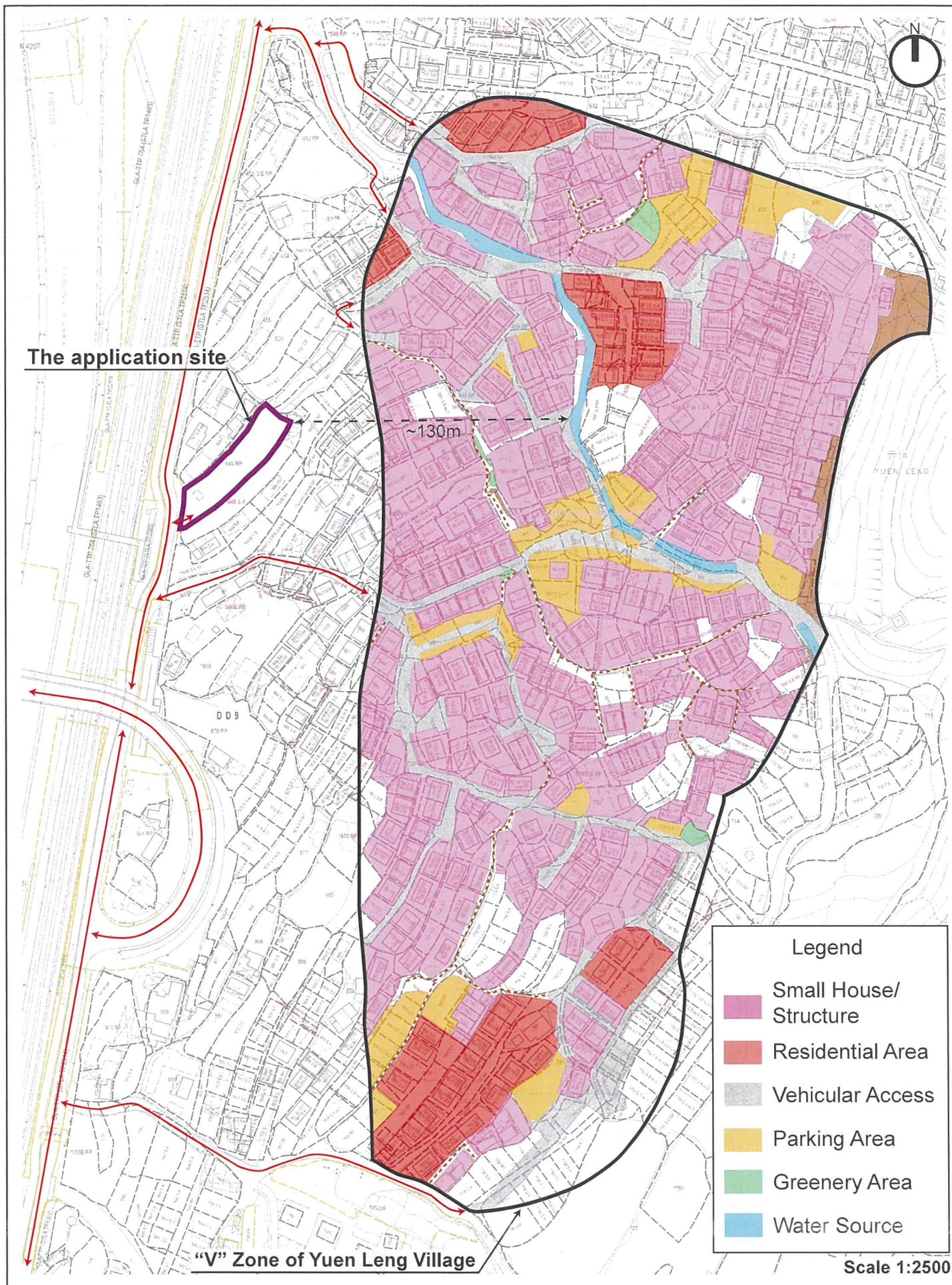
A land use distribution plan of Yuen Leng Village is shown in **Plan F**. Over 80% of the land (i.e. pink and red colour) within the “V” zone is already occupied by small houses and residential developments. The remaining portion within the “V” zone is occupied by village track, footpath, existing car park, green area, stream and vacant land. It is important to note that majority of the vacant area within the “V” zone is not accessible by vehicular road (i.e. grey colour), which is not suitable for the provision of village car park. In view of the constraints of the existing land use character of Yuen Leng Village, it is difficult to find a suitable area for providing an additional village car park inside the village.

The Applicant and the representatives of Yuen Leng Village also stressed that it is very difficult to secure an agreement from the landowner for an additional village car park inside the village. According to the Rural and New Town Planning Committee Paper No. A/NE-KLH/544, LandsD indicated that the number of outstanding small house applications and the number of 10-years small house demand for Yuen Leng Village as of 14.10.2022 are 84 and 257 respectively. Therefore, sufficient land would have to be reserved within “V” zone to accommodate the small house demand. Currently, the local villagers have no choice but to disorderly park their vehicles along the narrow roadside inside the village. The provision of a new village car park will definitely help relieving the genuine demand for parking spaces to serve the villagers in the area.

## **4.3 Policy Initiatives to Promote the Use of Electric Vehicles**

The Hong Kong Government has been promoting the use of EVs as early as in 1994, through primarily tax incentives. Since EVs have no tailpipe emissions, therefore replacing conventional vehicles with EVs can help improve roadside air quality and reduce greenhouse gas emissions. The Government welcomes the wider use of EVs and, on 17.3.2021, they announced the “Hong Kong Roadmap on Popularisation on EVs” (the Roadmap) which setting out the long-term policy objectives and plans to promote the adoption of EVs and their associated supporting facilities in Hong Kong.

Even though the total registration of EV in Hong Kong has increased significantly, there are concerns of inadequate charging facilities to cater the growing EV uptake. The Applicant earmarked that most of the small houses in the village are not accessible by vehicular road. Those villagers are unable to provide EV charging facilities via their house to charge their EVs. Besides, there is a prevailing policy that they are required to secure 100% ownership of a house (i.e. owned the entire three floors of the small house)



Plan F: Land Use Distribution of Yuen Leng Village



in order to provide EV charging facilities via their house. Therefore, the Applicant and the representatives of Yuen Leng Village stressed that there is a strong demand for EV charging station in Yuen Leng Village.

It is understood that the Government has been actively reviewing suitable places to install EV chargers and also encourage developers and property management companies to install EV chargers at their commercial buildings or any appropriate places. Thus, the proposed EV charging facilities under this application is in line with the recent policy initiatives to promote the use of EVs.

#### 4.4 The Best Available Site for the Proposed Village Car Park

In order to resolve the parking problem for the village and the urgent demand for EV charging facilities, the Applicant – the indigenous villager of Yuen Leng Village and the member of executive committee of Tai Po Rural Committee has spent effort over the years in identifying suitable sites for the provision of a village car park which must meet the following several criteria:

- The **location** of the site is preferably to be selected within the village, or if not available, to be selected near the village core for the convenience of the villagers and the **size** of the site should not be too small so as to meet a reasonable number of car parking spaces for the villagers;
- The site must have proper **access** (or no right of way problem) to allow vehicles entering the site. It should not be elongated in **shape** and should have sufficient spaces for manoeuvring of vehicles; and
- **Rental price** offer of the site cannot be too high. Sites with sensitive **zoning** or required substantial clearance of vegetation shall not be considered.

Eventually, the Applicant had identified the application site as the best available option based on the following reasons:

1. The site has a reasonable size which will be able to provide a suitable number of car parking spaces to serve the local residents in the area. Rental offer of the site is within the budget of the villagers.
2. The site can be accessed from (and is close to) Tai Wo Service Road East via a local track without right of way problem. It is located at the western fringe of Yuen Leng Village, which is within a very short walking distance to the village proper.
3. The site is hard paved, flat, fenced off and vacant for a long time without planned development. Clearance of vegetation or site formation is not required for the development.

The village representatives and many villagers of Yuen Leng Village have expressed their strong support to the proposed development (see **Appendices I and II**).

#### 4.5 Brings Positive Impact to the Traffic Condition of Yuen Leng Village

As stated in **Section 4.2**, Yuen Leng Village has long been facing serious problem of insufficient vehicle parking spaces. While majority portion of the internal access roads in Yuen Leng Village are relatively narrow, there is still a number of illegal roadside parking occurring inside the village which creates vehicle-pedestrian conflicts, and also would affect the access of emergency vehicles (see photos below). Some access roads had to implement a one-way vehicular routing system in order to minimise the risk of traffic deadlock. After consulting the local villagers, the Applicant has decided to propose a village car park near the village core to serve the nearby residents as well as better utilise land resource.



With the provision of the subject village car park adjoining the village core, the EVs which originally park at the roadside inside the village could be consolidated at the proposed village car park. It would not only provide remedial measures for shortage of parking supply to serve the local residents and villagers in the area, but also reduce the illegal roadside parking thereby minimizing vehicle-pedestrian conflicts. It would have positive impact to the traffic condition inside the village and improve roadside air quality of the village (i.e. less vehicles entering the village core).

#### 4.6 Reduce the Risk of Pollution to the Water Gathering Ground by Gradually Phasing out the Use of Traditional Gasoline-powered Vehicles

The proposed temporary car park with sufficient parking and EV charging facilities will encourage the local villagers to transition from using traditional gasoline-powered vehicles to EVs. As the Yuen Leng Village and the application site inevitably is within Water Gathering Ground (WGG), the transition use of EVs by the villagers of Yuen Leng Village would mean there will be a decrease in the use of traditional gasoline-powered vehicles (in comparison with EVs, traditional gasoline-powered vehicle produces more pollution). It would also result in the pollution effect within the WGG caused by traditional gasoline-powered vehicles (i.e. oil leakage and spillage) would be greatly decreased. The encouragement of using EVs and the proposed development also tallies with the Chief Executive's 2022 Policy Address in relation to the promotion of the use of EVs.

A Risk Assessment report is prepared and attached in **Appendix III**. In order to eliminate any pollution it may possibly arise from the operation of the proposed village

car park for EVs with EV charging facilities, minor drainage channels have been proposed parallel to the site entrance of the application site within the existing boundary walls, so that surface runoff during rainfall events collected within the application site would be discharged to the drainage channels and subsequently to the public stormwater drains in a controlled manner. For construction phase, only minor excavation of not more than 1m at some specific locations will be involved to facilitate installation of the proposed meter cabinets, outdoor H-pole switchgear demarcation and the minor drainage channel. A series of mitigation measures and management practices have been proposed to ensure there is no material increase in pollution effect within WGG during the construction phase and operation phase of the proposed development.

#### **4.7 Compatible Temporary Village Car Park without Affecting the “AGR” Zone**

The application site is suitable for the proposed use since it is highly accessible by vehicles, already paved with power supply facilities and no vegetation. It is located at the western fringe of Yuen Leng Village, which is within a short walking distance to the village proper. There are no sensitive zonings such as “Green Belt” in the vicinity of the site.

Although the application site falls within an area zoned “AGR” on the approved Kau Lung Hang OZP, it is considered less susceptible to the local environment since the site is hard paved and has been vacant for a very long time and there is no current or planned agricultural program at the site. It is flat and no significant landscape resource is observed. Site formation and land or pond filling or substantial clearance of vegetation is not required for the proposed development. As described in **Section 2.3**, such hard paved area within the site exists long before 2005 and it is legally accepted under the planning regime. The land owner has no intention to convert the site back to green farm.

The application site has been left idle for some years, with no agricultural activities being carried out. The continuous abandonment of the site would only result in the waste of valuable land resources and gradual degradation of the general environment. In view of the current status of the site, it is obvious that the planning intention of the existing “AGR” zoning could no longer be fulfilled. This represents an opportunity to better utilize the obsolete site for more desirable alternative uses that are compatible with the surrounding area. Under this application, the proposed temporary village car park could provide an interim solution to maximise land utilization of the abandoned land and, at the same time, to meet the strong demand of car parking spaces for Yuen Leng Village.

In light of the planning merits as detailed in the previous Sections and the insignificant impacts generated, it is considered that the proposed development could warrant a departure from the planning intention of the “AGR” zone. The approval of the application on a temporary basis for a period of three years will not frustrate the long-term planning intention of the “AGR” zone. In fact, the proposed car park is considered compatible with the surrounding land uses which are predominantly infrastructures, village houses, and some vacant hard paved land. The application site is hard paved and fenced off, and is far away from water source. It has low potential for agricultural rehabilitation. Planning

Assessment on the subject “AGR” zone is prepared and attached in **Appendix IV**.

#### 4.8 No Adverse Impact on Technical Aspects

The small scale temporary use will not result in any significant adverse impact on traffic, environmental, drainage, sewerage and landscape aspects based on the following assessments:

(a) **Minimum Traffic Impact**

The temporary use is small scale in nature and will not result in significant traffic impact due to the small number of car parking spaces provided (i.e. only 20 car parking spaces for EVs). According to the previous experience, there will be only about 40 daily trips made by private cars to/ from the site and the peak hourly vehicle trips to/ from the site are about 18. The ingress/ egress of the site will be maintained 6m width to allow sufficient space for vehicles entering the site. Sufficient space has been reserved within the site for turning of vehicles.

(b) **Minimum Environmental Impact**

The application site will have no parking of goods vehicle or container truck. No car washing, vehicle repair, dismantling, paint spraying or other workshop activities will be allowed within the application site. The Applicant will follow the latest "Code of Practice on Handling Environmental Aspects of Open Storage and Temporary Uses" issued by EPD and comply with all environmental protection/ pollution control ordinances, in particular the WPCO.

(c) **Minimum Drainage Impact**

The application site is hard paved and fenced off. It is relatively flat and thus site formation will not be required for the proposed temporary car park. Perimeter drainage channels (i.e. 500mm) will be provided on-site and connect to the existing underground stormwater drain along the local track to the satisfaction of DSD. Drainage proposals will be submitted upon approval of the s.16 planning application. A qualified engineer shall be engaged in the detailed design stage to provide designs for the internal site drainage layout and the drainage connection between the site and the existing drainage system in the vicinity.

(d) **Minimum Sewerage Impact**

The application site is located at the western fringe of Yuen Leng Village and approximately 130m away from the nearest water source. The proposal only consists of 20 private car parking spaces for EV cars and EV charging station with an outdoor H-Pole Switchgears and meter cabinet. No toilet facility, car washing or repair activity will be allowed. No wastewater will be generated from the proposed use, thus no sewerage impact to the nearest water course is anticipated. The Applicant will follow the latest "Code of Practice on Handling Environmental Aspects of Open Storage and Temporary Uses" issued by EPD and comply with all environmental protection/ pollution control ordinances, in particular the WPCO.

(e) **Minimum Landscape Impact**

The application site is cleared and hard paved and no trees are found within the site. Therefore, adverse impact on landscape resources due to the proposed development is not anticipated.

**4.9 Unlikely to Set an Undesirable Precedent**

Even though there is no similar application within the “AGR” zone on the same OZP, the proposed use is not an undesirable use because the Government is promoting the adoption of EVs and their associated supporting facilities in Hong Kong as stated in the Roadmap. Moreover, the application site has unique site characteristics as described in **Section 2.3**, the hard paved area has been in existence on or before 1.4.2005, which could be regarded as an “Existing Use”. Besides, the application site does not function as an “AGR” site after the statutory plan came into force on 24.8.1990. The site is paved and has low potential for agricultural rehabilitation.

It is considered that the approval of the application on a temporary basis for a period of three years will not frustrate the long-term planning intention of the “AGR” zone. It will enable short term benefits for the public and local community by relieving the lack of EV charging facilities in the area and supporting Government’s initiatives. The village representatives and many villagers of Yuen Leng Village have expressed their strong support to the proposed development (see **Appendices I and II**). The Applicant will comply with the relevant government departments’ requirements and make sure the proposed use is acceptable.

## 5. CONCLUSION

In view of the genuine demand for car parking spaces and EV charging facilities for the villagers of Yuen Leng village, and no suitable site is available for an additional car park within the village, Mr. Li Sai Hang – the indigenous villager of Yuen Leng Village and the member of executive committee of Tai Po Rural Committee has spent effort in identifying suitable sites for a village car park in the area. This s.16 planning application seeks the TPB's permission for a proposed temporary village car park with 20 parking spaces and EV charging facilities for a period of 3 years at Lot 645 RP (part) in D.D. 9, Yuen Leng, Tai Po. In order to encourage villagers to transition from using traditional gasoline-powered vehicles to EVs to decrease the potential environmental impact caused by traditional vehicles, the proposed temporary village car park will be for private EVs only.

Planning assessment has indicated that the present application is well justified based on the following reasons:

- (a) it is in line with the policy's initiative to promote the adoption of EVs and their associated supporting facilities in Hong Kong;
- (b) it will encourage the villagers to transition from using traditional gasoline-powered vehicles to EVs so as to decrease the potential environmental impact caused by traditional cars;
- (c) it will help relieving the genuine demand for parking spaces to serve the villagers in the area;
- (d) it would have positive impact to the traffic condition within the village by reducing the illegal roadside parking and minimizing vehicle-pedestrian conflicts;
- (e) it, being located right next to the village core and along the carriageway, is compatible with the adjacent land uses without affecting the "AGR" zone;
- (f) the application site is suitable for the proposed use since it is highly accessible by vehicles, already paved with power supply facilities and no vegetation;
- (g) the small scale development will not result in any significant traffic, environmental, drainage, sewerage and landscape impacts; and
- (h) in view of the policy initiatives, special existing conditions, temporary use in nature and similar approved cases in the area, approval of the present application will not set an undesirable precedent for similar applications and frustrate the long-term planning intention of the "AGR" zone.

In view of the small scale nature of the proposed temporary use and the justifications presented in the Planning Statement, honourable members of the TPB are requested to approve this planning application.

敬啟者：

有關在新界大埔元嶺丈量約份第 9 約地段第 645 號餘段  
興建臨時公眾停車場（私家車）及電動車充電站（為期 3 年）規劃申請

我們是大埔元嶺李屋村原居民及居民代表，深知本村一直缺乏村用停車場，但是村內沒有可用的適合土地作該用途。我們留意到本村狹窄的車道上不時出現了路旁違泊、人車爭路及對頭車等情況，對村民構成危險。

我們得知李世恆先生作為元嶺李屋原居民及大埔鄉事委員會執行委員，已經與丈量約份第 9 約地段第 645 號餘段之業主達成協議，並會在短期內就村用停車場及電動車充電設施向城規會提交規劃申請。我們對此表示支持，原因如下：

1. 善用荒廢土地，提供停車位以滿足居民需要；
2. 有助改善村內泊車問題，減少路旁違泊、人車爭路及對頭車等情況；
3. 配合政府實行「零碳排放·清新空氣·智慧城市」的目標；及
4. 規模細小，沒有不良影響。

隨信附上本村居民的簽名支持信，我們懇請城規會盡快批准上述申請。

此致

城市規劃委員會  
香港北角渣華道 333 號  
北角政府合署 15 樓

新界大埔元嶺李屋原居民代表

李玉明 敬上  
(李玉明)

新界大埔元嶺李屋原居民代表

李冠榮 敬上  
(李冠榮)

新界大埔元嶺李屋居民代表

李郎生 敬上  
(李郎生)



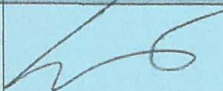


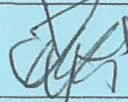
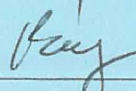
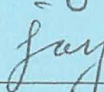


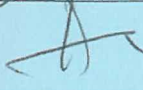
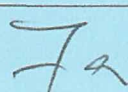
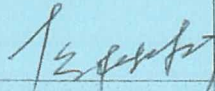
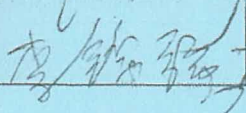


支持於丈量約份第 9 約地段第 645 號餘段




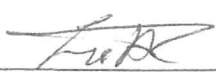

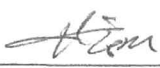





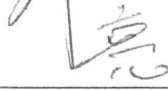





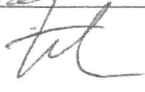
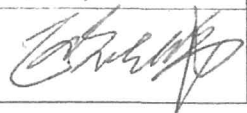

為大埔元嶺李屋村民提供臨時公眾停車場（私家車）及

電動車充電站

我們是大埔元嶺李屋村民，希望在村內或附近地方提供停車場及電動車充電站給本村使用。

	姓名	香港身份證號碼 (前頭 4 英文字連號碼)	簽名	日期
例子	陳小明	A1234		3.7.2023
1	LU TSZ LOI			7/7/2023
2	LEE Suk WING			7-7-2023
3	Leung Man Kee			7-7-23
4	LAW HO CHUN			7/7/23
5	LAW HO YUK			7/7/23
6	LAW HO CHAK			7/7/23
7	LAW Wing Shun			7/7/23
8	李錦生			7/7/23
9	柯麗德			7/7/23
10	李國輝			7.7.2023
11	李樹輝			7.2023
12	李麗強			7/7/2023

13	刘桂安		刘桂安	7/7/2023
14	天秋北		天秋北	7/7/2023
15	陈康		陈康	7/7/2023
16	江燕儿		江燕儿	7/7/2023
17	苏明强		苏明强	7/7/2023
18	李兆辉		李兆辉	7/7/2023
19	李运明		李运明	7/7/2023
20	陈焯辉		陈焯辉	7/7/2023
21	李天福		李天福	7/7/2023
22	李观发		李观发	7-7-2023
23	陈德明		陈德明	7-7-2023
24	陈梓皓		陈梓皓	7/7/2023
25	李伟良		李伟良	7/7/2023
26	李志强		李志强	8/7/2023
27	李田田		李田田	8.7.2023
28	李少文		李少文	8/7/2023
29	李群莲		李群莲	8/7/2023
30	Lee Koon Hung		Lee Koon Hung	8/7.2023
31	李伟光		李伟光	8.7.2023

32	Lok Kwok Fai			8.7.2023
33	李潤生			8/7/2023
34	李群強			2023.7.18
35	Leokoon Fuk			8.7.2023
36	李允霖			8.7.2023
37	李澤謙			2023.7.8
38	Lee Yan Lok			8.7.2023
39	李振聲			2023.7.8
40	李焯忠			8-7-2023
41	李玉華			8-7-2023
42	李鏡邦			8-7-2023
43	李志高			9.7.2023
44	徐德強			9-7-23
45	LEAPING CHOI			
46	葉官容			
47	李冠求			9.7.2023
48	李國基			
49	吳偉航			9.7.2023
50				9-7-2023

51	LI SAI HANG		li	10/7/2023
52	楊寬婷		楊寬婷	10/7/2023
53	CHAN CHI HONG SIMOW		Chan	10/7/2023
54	LI CHI WAI		Chi	10/7/2023
55	李世雄		Li	10/7/23
56	李世華		Li	10/7/23
57	LI PIK MAN		Pik	10/7/23
58	Li You Hing		Li	10/7-23
59	GAU PANG		Gau	11/7-23
60	Tong Ka Hing		Tong	11/7-23
61	Tong Yung		Tong	11/7-23
62	NGAI TAK YUNG		Ngai	11/7/23
63	PUNG SHUI LING		Pung	11/7/23
64	IRENE			
65				
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## **Appendix III**

### Risk Assessment

## **1. Risk Assessment Report for Planning Application No. A/NE-KLH/633**

### **1.1 Scope of Work**

The aim of this study is to address the comments from Water Supplies Department.

### **1.2 The Proposed Development**

The application site is located at Yuen Leng Village, Tai Po. It has a total area of about 925.45m<sup>2</sup> and is currently vacant, flat and fenced off. The site has long been hard paved with no vegetation for more than 30 years. While the application site falls within the upper indirect Water Gathering Ground (WGG), there is DSD's public stormwater drains along the immediate west of the site.

The development proposal only consists of a temporary village car park with 20 parking spaces (private car only) and EV charging station for a period 3 years. It is intended to relieve the genuine demand for parking spaces to serve the villagers in the area. To encourage villagers to transition from using traditional gasoline-powered cars to EV cars to decrease the potential environmental impact caused by traditional cars, the proposed temporary village car park will be restricted to EV cars only. Traditional gasoline-powered cars are not allowed to enter. No toilet facility, car washing or repair activity will be allowed. In order to eliminate any pollution it may possibly arise from the proposed vehicle park and EV charging station, minor drainage channels have been proposed parallel to the site entrance of the application site within the existing boundary walls, so that surface runoff during rainfall events collected within the application site would be discharged to the drainage channels (which will be connected to the public stormwater drains along the immediate west of the site) and subsequently to the public stormwater drains in a controlled manner. The details of the proposed drainage will be provided for relevant department's consideration as an approval condition.

### **1.3 Assessment of Impact During Construction Phase**

#### **1.3.1 Factors that may affect the Water Gathering Ground**

The application site is flat, hard paved, and fenced off. The only construction activities involved in the proposed development would be the installation of the meter cabinets and outdoor H-pole switchgear demarcation and the proposed minor drainage channel (to be erected parallel to the site entrance of the application site within the existing boundary walls), which may involve minimal excavation of not more than 1m at specific locations. Minor excavation may cause sediments, other suspended solids and contaminants. As such, works should be carried out in such a manner as to minimise adverse impacts on the water quality.

### 1.3.2 Proposed Mitigation Measures and Management Practices

Control of potential water quality impact arising from the minor excavation for the instalment of the EV Chargers shall be achieved based on the following principles:

- Minimisation of runoff;
- Prevention of the likelihood of the identified pollutants being in contact with rain or runoff; and
- Measures to abate pollutants in the stormwater runoff.

In order to minimise the likelihood of the potential hazards as identified above, the Applicant has proposed a series of mitigation measures and management practices:

1. Installation works should be programmed to minimise excavation works where practicable during the rainy days;
2. Minor drainage channels (including newly constructed ones) should be adequately covered so as to prevent debris from getting into the drainage system;
3. Vehicle wheel washing facilities should be provided such that mud, debris, etc. attached to the vehicle wheels or body can be washed off before the vehicle leaves the application site;
4. Waste and other garbage generated during the installation works would be dumped properly; and
5. The existing retaining wall will not be demolished, which ensures the collected surface runoff will be discharged into the proposed drainage system within the application site.

With the above mitigation measures, the potential impacts of the proposed development to the water bodies due to the installation works is minimised.

## 1.4 Assessment of Impact During Operation Phase

### 1.4.1 Factors that may affect the Water Gathering Ground

1. Discharge of effluent, sewage, or foul water;
2. Solid waste and sludge;
3. Use and storage of pesticides, herbicides, toxicants, chemical solvents, larvicidal oil, rodenticide, tar and petroleum, oil;
4. Use and storage of chemicals such as fertilizers and detergents;
5. Existence of oil leakage & spillage;
6. Close distance between structures & uses of the development and water courses;
7. Lack of fencing to trap wind-blown litters;
8. Kerbs & drains surrounding vehicle park/ drainage traps at each drainage outlet;
9. Lack of oil & grease decontamination kit;
10. On-site vehicle inspection, maintenance, repairing & washing activities/ machinery

repairing;

11. Oil tanker parking inside vehicle park;
12. Use of detergents & fertilisers; and
13. Vehicle dust, scraps and oil deposited on paved road surface.

During operation, potential water quality impact would be the surface runoff during rainfall event which is known as non-point source of pollution. Substances such as vehicle dust, scraps and oil may be deposited on paved road surface. Pollutants contributed by non-point source are often bound or adsorbed onto particles, thus an effective stormwater management system will be the removal of pollution sources prior to rainstorm and the provision of facilities that collect sediment.

#### 1.4.2 Proposed Mitigation Measures and Management Practices

In order to minimise the likelihood of the potential hazards as identified above, the Applicant has proposed a series of mitigation measures and management practices, which are detailed in **Annex 1**.

The operation of the car park and EV Chargers will only commence once the construction of the proposed drainage system has been completed upon satisfaction of relevant Government departments. During operation, collected surface runoff will be discharged into the proposed drainage channels within the application site, which is connected to the public stormwater drains along the immediate west of the site. Given the proposed development is small scale in nature, the increase in surface runoff generated from the proposed development should not be in significant amount. Apart from the site entrance and the rear entrance (for pedestrian only if required), the existing retaining wall has enclosed the application site, which ensures surface runoff will be trapped within and will be discharged into the proposed drainage channels within the application site. The Applicant will properly manage and maintain the facilities within the application site.

Therefore, there will be no flooding arising from the proposed development, and no adverse water quality impact on nearby water bodies during operation of the proposed development is anticipated.

### 1.5 Recommendations

To protect the integrity of the upper indirect WGG, no well will be sunk and no excavation exceeding 1m within the Site. To minimise the likelihood of the potential hazards during the construction and operational phases, mitigation measures and good management practices have been proposed as detailed in **Section 1.3** and **Section 1.4** above.

The operation, maintenance of the electrical vehicle charging station is relatively clean, therefore it is anticipated that contamination and leaching of contaminants to the WGG would be very low. The "Conditions of Working within Water Gathering Grounds" shall be complied.



## **1.6 Conclusion**

All potential hazards are anticipated to remain at low risk or to be reduced after the implementation of mitigation measures. The analysis shows the proposed vehicle park and EV charging station would cause no material increase in pollution effect within WGG and low risk of pollution to be arisen from the erection of the proposed structure and facilities which will be installed to maintain the operation of the proposed vehicle park and electric vehicle charging station. This report shows that contamination to be caused to the water course in the WGG by the proposed development is not anticipated.

Annex I

Factors	Potential Hazard	Likelihood	Consequence	Risk Level	Proposed Mitigation Measures	Likelihood	Consequence	Residual Level
1	Discharge of effluent, sewage or foul water	M	M	M	<p>No activity will produce foul water, sewage or effluent of the Site.</p> <p>No toilets will be proposed within the site. Therefore, no sewage will be produced at the site.</p> <p>Notice will be posted at the site to forbid any usage and storage of pesticides, toxicants, flammable solvents, larvicidal oil, rodenticide, tar, petroleum oil and fertilizers.</p> <p>Electric Vehicles (EV) do not produce any contaminants or petroleum waste such as oil leakage or spillage comparing with traditional cars. The proposed temporary village car park will be restricted to EV cars only.</p> <p>Traditional gasoline-powered cars are not allowed to enter. Nevertheless, oil and grease decontamination kit will be placed at the site to absorb any potential oil and grease that might be found on site.</p> <p>These measures would help prevent foul water or effluent discharging to</p>	L	L	L

Annex I

Factors	Potential Hazard	Likelihood	Consequence	Risk Level	Proposed Mitigation Measures	Likelihood	Consequence	Residual Level
2	Soil waste and sludge	L	L	L	<p>the WGG.</p> <p>As the site will be solely for parking of EV cars with EV charging station, there is on-site operation/ workshop activity at the site. No solid waste will be produced at the site.</p> <p>Any waste (expected to be small in amount) will be put into rubbish bins which will be placed at adequate location. It will be regularly collected and transferred to the nearest refuse collection point. The collection point is near Tai Po Yuen Leng Tsuen Gate (大埔元嶺村牌坊).</p>	L	L	L
3	Use and storage of pesticides, herbicides, toxicants, chemical solvents, larvicidal oil, rodenticide, tar and petroleum, oil;	L	M	L	<p>No usage or storage of pesticides, herbicides, toxicants, chemical solvents, larvicidal oil, rodenticide, tar and petroleum, oil will be allowed at the site.</p> <p>Notice will be posted at the site to forbid any usage and storage of pesticides, herbicides, toxicants, chemical solvents, larvicidal oil,</p>	L	L	L

Annex I

Factors	Potential Hazard	Likelihood	Consequence	Risk Level	Proposed Mitigation Measures	Likelihood	Consequence	Residual Level
					rodenticide, tar and petroleum, oil.			
4.	Use and storage of chemicals such as fertilizers and detergents;	L	M	L	No chemicals such as fertilizers and detergents is allowed to be used at the site.  Notice will be posted at the site to prohibit the use of chemicals.	L	L	L
5	Existence of oil leakage & spillage	L	M	L	<b><u>EV do not produce any contaminants or petroleum waste such as oil leakage or spillage comparing with traditional cars.</u></b> The proposed temporary village car park will be restricted to EV cars only. Traditional gasoline-powered cars are not allowed to enter. Nevertheless, oil and grease decontamination kit will be placed at the site to absorb any potential oil and grease that might be found.	L	L	L
6.	Close distance between structures & uses of the development	M	L	L	The only structure within the site is a cabinet and it is separated by the road, cycling track, and fence.	L	L	L

Annex I

Factors	Potential Hazard	Likelihood	Consequence	Risk Level	Proposed Mitigation Measures	Likelihood	Consequence	Residual Level
7.	and water courses Lack of fencing to trap wind-blown litters	L	L	L	An existing boundary wall has been erected on all sides to trap all wind-blown litters such as paper, plastic bags, bottles and boxes from the Site. Any waste (expected to be small in amount) will be put into rubbish bins which will be placed at adequate location. It will be regularly collected and transferred to the nearest refuse collection point. The collection point is near Tai Po Yuen Leng Tsuen Gate (大埔元嶺村牌坊).	L	L	L
8.	Kerbs & drains surrounding vehicle park/ drainage traps at each drainage outlet	M	M	M	Minor drainage channel are proposed to be erected parallel to the site entrance of the application site within the existing boundary walls, which will then connected to the public stormwater drains along the immediate west of the site.  Drainage traps will be installed at each of the drainage outlets and sufficient capacity to ensure that proper collection and disposal of	L	L	L

Annex I

Factors	Potential Hazard	Likelihood	Consequence	Risk Level	Proposed Mitigation Measures	Likelihood	Consequence	Residual Level
					potential fuel and lubricants. Oil and grease decontamination kit will be placed at the site to absorb any potential oil and grease that might be found.			
9.	Lack of oil & grease decontamination kit	M	M	M	<b><u>EV do not produce any contaminants or petroleum waste such as oil leakage or spillage comparing with traditional cars.</u></b> The proposed temporary village car park will be restricted to EV cars only. Traditional gasoline-powered cars are not allowed to enter. Nevertheless, oil and grease decontamination kit will be placed at the site to absorb any potential oil and grease that might be found.	L	L	L
10.	On-site vehicle inspection, maintenance, repairing & washing activities/ machinery repairing	M	M	M	No vehicle inspection, maintenance, repairing and washing activities will be allowed within the site.  Notice will be posted at the site to prohibit vehicle inspection, maintenance, repairing, washing activities and machinery repairing.	L	L	L

Annex I

Factors	Potential Hazard	Likelihood	Consequence	Risk Level	Proposed Mitigation Measures	Likelihood	Consequence	Residual Level
11.	Oil tanker parking inside vehicle park	L	M	L	No oil tanker will be allowed to be parked inside the site to avoid oil leakage or spillage. A notice will be posted at the entrance of the site to prohibit oil tanker to enter the site.	L	L	L
12.	Use of detergents & fertilisers	L	L	L	No detergents nor fertilisers will be used at the site. Notices will be posted at the site to prohibit the use of detergents and fertilisers.	L	L	L
13.	Vehicle dust, scraps and oil deposited on paved road surface	M	M	M	Minor drainage channel are proposed to be erected parallel to the site entrance of the application site within the existing boundary walls, which will then connected to the public stormwater drains along the immediate west of the site. Good management measures such as regular cleaning and sweeping of road surface will be conducted. The road surface cleaning will also be carried out prior to occurrence of rainstorm.	L	L	L

Annex I

Factors	Potential Hazard	Likelihood	Consequence	Risk Level	Proposed Mitigation Measures	Likelihood	Consequence	Residual Level
					With the removal of pollutants, the pollution levels from stormwater would be greatly reduced.			



## **Appendix IV**

### Planning Assessment on the Subject "AGR" zone

## **1. Purpose of the Assessment**

1.1 The Applicant has received comments from Agriculture, Fisheries and Conservation Department (AFCD) sent to us via District Planning Office/ Sha Tin, Tai Po & North District (DPO/STN)'s emails on 27.9.2023. Therefore, we have been appointed by the Applicant to provide an assessment on the land use compatibility of the proposed temporary use and the application site with the surrounding environment.

## **2. Background of the Application Site**

2.1 The application site is zoned "Agriculture" ("AGR") on the approved Kau Lung Hang Outline Zoning Plan (OZP) No. S/NE-KLH/11. According to the Notes of the OZP, the planning intention of this zone is primarily to retain and safeguard good quality agricultural land/ farm/ fish ponds for agricultural purposes. The proposed temporary village car park for electric vehicles (EVs) only and electric vehicle charging facilities for a period of 3 years requires planning permission from the Board.

2.2 The Notes of the OZP also states that any filling of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes, shall not be undertaken or continued on or after the date of gazetting the notice of the draft Kau Lung Hang OZP No. S/NE-KLH/9 (i.e. 1.4.2005) without the permission from the Board under s.16 of the Town Planning Ordinance. The aerial photo dated 5.3.2004 (see **Plan 1**) has clearly shown that the application site was clear with no vegetation before 2005 and is similar to the present site configuration.

2.3 In order to resolve the parking problem for the village and the urgent demand for EV charging station, the Applicant – the indigenous villager of Yuen Leng Village and the member of executive committee of Tai Po Rural Committee has spent effort over the years in identifying suitable sites for the provision of a village car park. A land use distribution plan of Yuen Leng Village is shown in **Plan 2**. Over 80% of the land (i.e. pink and red colour) within the "Village Type Development" ("V") zone is already occupied by small houses and residential developments. The remaining portion within the "V" zone is occupied by village track, footpath, existing car park, green area, stream and vacant land. It is important to note that majority of the vacant area within the "V" zone is not accessible by vehicular road (i.e. grey colour), which is not suitable for the provision of village car park. In view of the constraints of the existing land use character of Yuen Leng Village, it is difficult to find a suitable area for providing an additional village car park inside the village.

2.4 Eventually, the Applicant had identified the application site as the best available option based on the following reasons:

1. The site has a reasonable size which will be able to provide a suitable number of EV parking spaces to serve the local residents in the area. Rental offer of the site is within the budget of the villagers.
2. The site can be accessed from (and is close to) Tai Wo Service Road East via a local track without right of way problem. It is located at the western fringe of Yuen Leng Village, which is within a short walking distance to the village proper.
3. The site is hard paved, flat, fenced off and vacant for a long time without planned development. Clearance of vegetation or site formation is not required for the development. Hence, once approval is granted, the operation of the proposed development could begin in a short period of time.

### 3. **Analysis**

3.1 Based on the historical background of the application site, the nature of the proposed uses and the needs of the local community, we consider it is justifiable for the proposed temporary vehicle car park for EVs only with EV charging facilities to be at the application site based on the following analysis and reasons:-

#### 3.2 ***Justification 1: Appropriate Consideration should be Given to Serve the Public Interest Instead of Guarding the Planning Intention***

3.2.1 The planning intention for each zoning in the OZP explains generally the Board's intention. In the case of "AGR", this zone is intended 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 arable land with good potential for rehabilitation for cultivation and other agricultural purposes. However, as presented in the Notes of the OZP, there are non-agricultural uses listed under Column 1 which are uses that are always permitted, as well as under Column 2 which may be permitted with or without conditions on application to the TPB. Therefore, the decision to allow or disagree the proposed uses should be based on individual merits of each case rather solely whether it is in line with the planning intention or not. This could be also reflected in many temporary uses applied in "AGR" zone in Kau Lung Hang approved by the TPB.

3.2.2 As detailed in **Section 2.3**, the land use distribution plan shows the constraints of the existing land use character of Yuen Leng Village, and the difficulty to find a suitable area for providing an additional village car park or Electric Vehicles (EV) Charging Stations inside the village. This shows there is a genuine need for such facility to improve the villager's livelihood.

### **3.3 Justification 2: The Planning History and Current Status of the Site Shows the Planning Intention of the “AGR” Zoning for the Site is not Active**

- 3.3.1 For many years and up until now, there has been no agricultural program at the application site. As detailed in **Section 2.2** above, although the application site is currently zoned “AGR” on the approved Kau Lung Hang OZP, it has a unique site character that the site has long been hard paved with no vegetation for more than 30 years. The aerial photo dated 5.3.2004 has clearly shown that the application site was clear with no vegetation before 2005 and is similar to the present site configuration. Since the application site has long been hard paved before 2005, the hard paved area covering the site could be regarded as an “Existing Use”.
- 3.3.2 As detailed in **Section 2.4** above, the application site is currently the best available option for the proposed use due to the location, size, shape and condition and has proper access. This presents an opportunity to better utilise the site for more desirable alternative uses that are compatible with the surrounding area and for the welfare of the community. Nevertheless, the approval of this temporary car park would not frustrate the long term planning intention of the “AGR” zone.

### **3.4 Justification 3: The Action of Removing the Existing Hard Paved Would Not Be Environmentally Friendly and Costly**

- 3.4.1 The application site is a private lot, the Applicant or the landowner has no intention for agricultural use in the near future. The cost of removing the existing hard paved not only be non-environmentally friendly and costly, the soil beneath would not be healthy enough for agricultural use. Therefore, instead of leaving the land vacant, the proposed use presents an opportunity to better utilise the site for more desirable alternative uses that are compatible with the surrounding area.
- 3.4.2 In addition, it is understood that the Government has been actively reviewing suitable places to install EV chargers, and also encourage developers and property management companies to install EV chargers at any appropriate places. Thus, the proposed temporary uses under this application is in line with the policy initiatives by the Government to promote the use of EVs.

### **3.5 Justification 4: The Possibility of Accessing Water from Existing Sources to the Application Site is Very Low**

- 3.5.1 It is noted that the closest existing stream course is located about 20m to the west of the Site. However, it is noted that the stream course is within “Other Specified Uses (Kowloon - Canton Railway)” zone and it is separated from the application site with fencing,

cycling track and the Tai Wo Service Road East (see **Plan 3**). With such separation, it would be difficult to access the water source to the application site. In addition, it is noted another stream course is located approximately 115m to the northeast of the Site and it runs through the village (see **Plan 3**). Again, it would be difficult to access the water source to the application site as it would have to pass through existing houses and private lots. Therefore, the possibility of accessing existing water source for agricultural activities at the application site would be very low.

### **3.6 Justification 5: Government's Relaxation to Allow Suitable Ecologically Non-sensitive Areas that are Vacant, Unused Land Covered by Weeds or Agricultural Land for Brownfield Operations**

3.6.1 Since several Policy Addresses, the Government have been utilising abandoned agricultural land for temporary use purposes to address the general public's need. For example, some developers lending idle agricultural land to the Government for building transitional housing. In recent years, referencing the TPB Paper No. 10890 and TPB Planning Guideline (PG) No. 13G, with the implementation of the New Development Areas (NDAs), many existing brownfield operations have been/ will be displaced as a result due to large quantity of land are being resumed. To help displaced operators relocate their businesses, the Government have stepped up assistance and have reviewed TPB PG No. 13F with the twin objectives of (i) reviewing the criteria with a view to making available more land under Category 2 where temporary planning permission may be granted for Open Storage/ Port Back-up (OS/PBU) uses; and (ii) allowing more flexibility in putting land pending eventual development within NDAs to temporary OS/PBU uses. One of the adjustments of classification criteria for Category 2 areas to allow sites for OS/PBU uses is "*ecologically non-sensitive areas that are vacant formed land, unused land covered by weed/ vegetation or fallow agricultural land, with a few intermixing with scattered/ small scale farmland;*".

3.6.2 The above shows the Government allows suitable vacant agricultural land to be temporarily used for brownfield operations subject to resolution of departments' concerns on technical requirements, allowing more flexibility in putting land pending eventual development to temporary uses. Similarly, the current application site has been vacant and concrete paved for a long period of time, it could be put in good use to allow for the proposed uses until eventual agricultural development has been confirmed.

### **3.7 Justification 6: Inconsistency in the Assessment from Agricultural Point of View**

3.7.1 Whilst there were some applications within "AGR" zone of the Approved Kau Lung Hang OZP were not approved by the TPB, it is noted AFCD in some applications within the same OZP, had "*no strong view on the application site*" with reasons that "*the site is paved and has low potential for agricultural rehabilitation*". Example could be found in application no.

A/NE-KLH/544 for proposed house (New Territories Exempted House). In addition, application no. A/NE-KLH/593 and 594 which were agreed at the Appeal Board Panel (Town Planning) on 24.4.2023, according to the Town Planning Appeal (TPA) of 3 & 4 of 2021 Paper, it has mentioned that since 2001 to 2019, AFCD classified the application sites of other similar applications in the adjoining sites and/or sites in the vicinity as “*agricultural land of good quality but with low potential for agricultural rehabilitation*” (2001) or “*the Site is surrounded by domestic structures. As the potential for agricultural rehabilitation is considered low, he has no strong view on the application*” (2018 - 2019). It was until 2021 AFCD had changed its view to “*The DFAC does not support the application site as the Site possesses potential for agricultural rehabilitation according to his recent inspection in February 2021 on the area which shows that there are active agricultural activities in the vicinity and agricultural infrastructure such as road access and water sources is available*”. According to the TPA Members, even though ADFC considers the site possesses potential for agricultural rehabilitation afterwards, according to the existing condition of the site, the TPA Members considers it questionable. Location of the abovementioned cases are shown in **Plan 4**.

- 3.7.2 Based on the information above, if AFCD considers a site that is paved or surrounded by domestic structures has low potential for agricultural rehabilitation, we hope AFCD could re-assess the potential for agricultural rehabilitation for this current application site which has been hard paved for more than 30 years and with no vegetation.

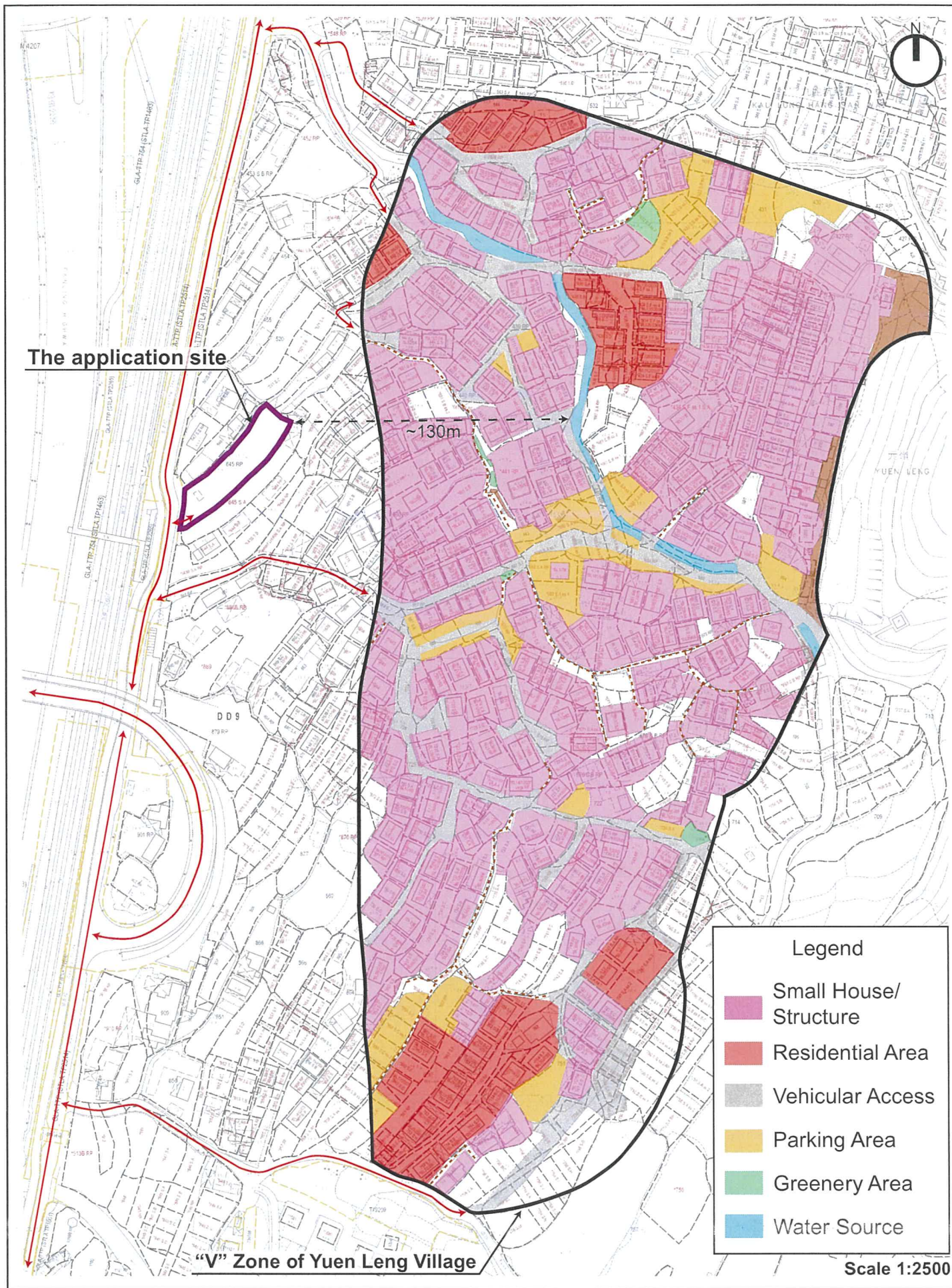
#### **4. Conclusion and Recommendation**

- 4.1 In view of the planning justifications provided above, the approval of this application would not frustrate the long term planning intention of the “AGR” zone, and would serve the public interest of the area in meeting the urgent parking and EV charging demand for Yuen Leng Village. The Applicant sincerely requests that AFCD would give appropriate consideration to this temporary application so as to allow a vacant site to be put in good use to address the community’s need. This would facilitate improvement of the existing traffic condition and safety within the village, and also maximize the utilization and efficiency of vacant land until there is a concrete plan/ program for agricultural activities at the site.

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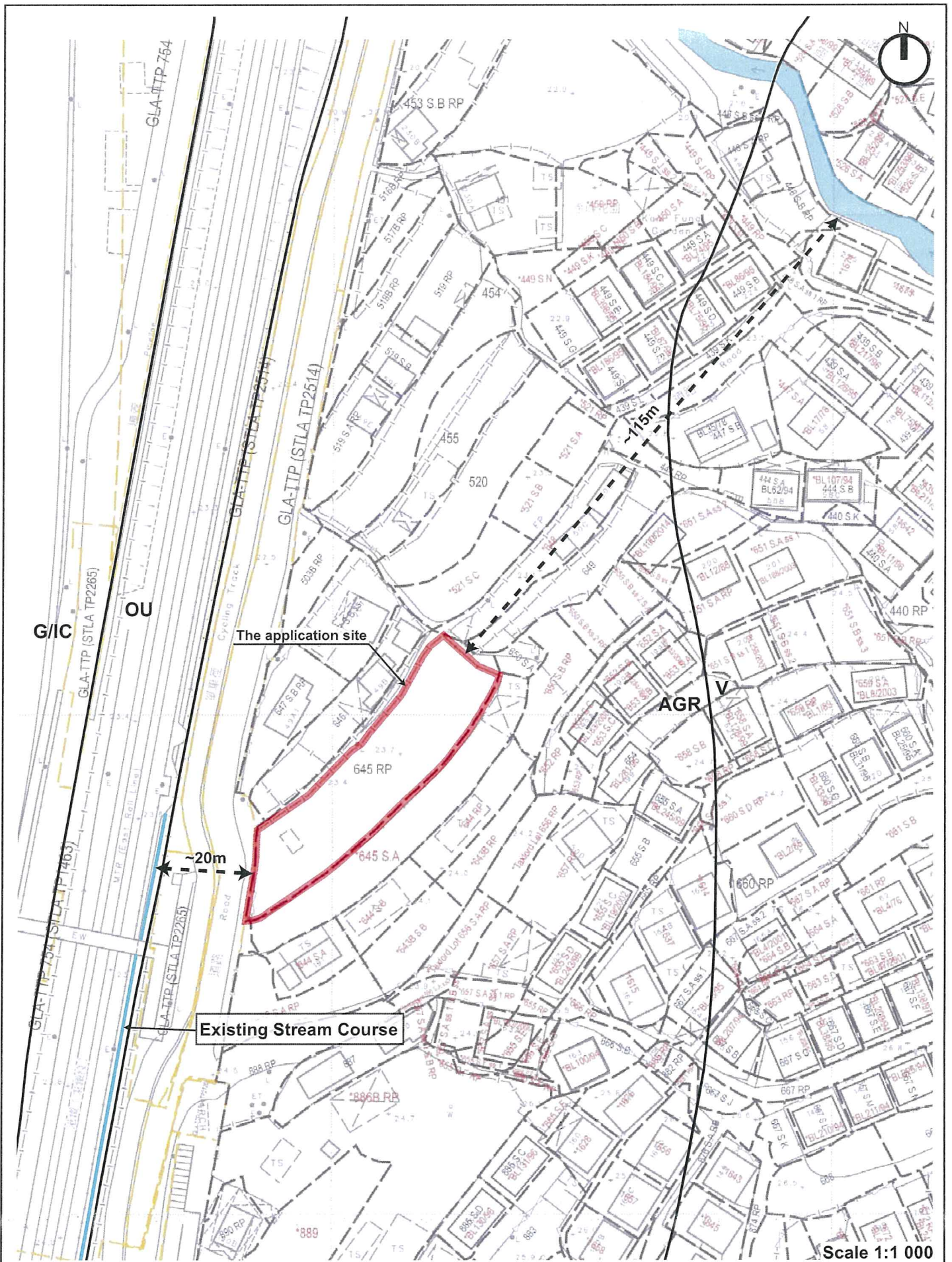
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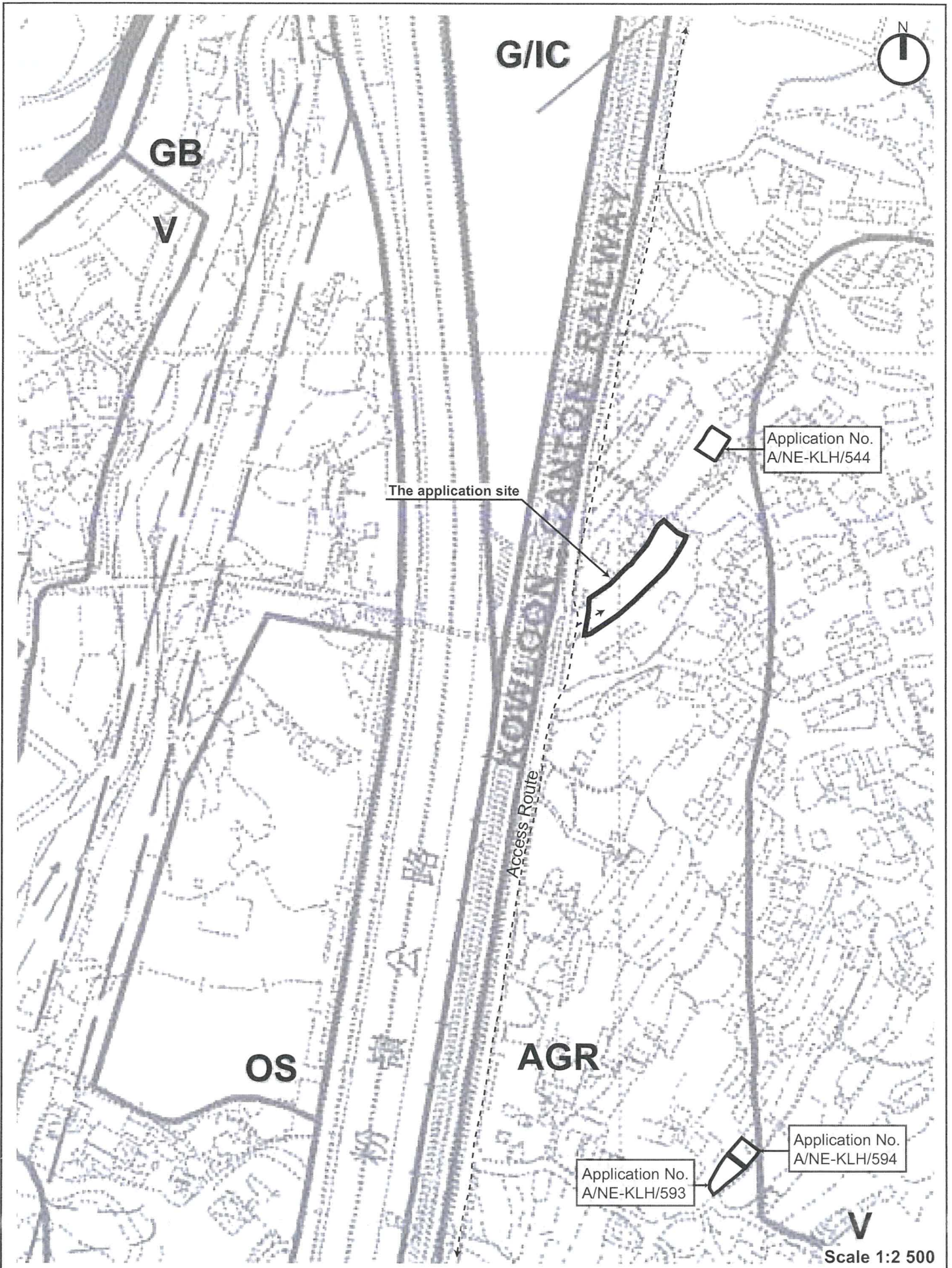


Plan 2 : Land Use Distribution of Yuen Leng Village





Plan 3 : Location of Water Source



Plan 4 : Location of Relevant Cases