

Section 16 Planning Application for Proposed Temporary Warehouse
(Storage of Timber and other Associated Materials) and Associated Filling of Land
for a Period of 3 Years at Various Lots in D.D. 86 and D.D. 90 and
Adjoining Government Land, Lin Ma Hang Road, Sha Ling

PLANNING STATEMENT



Toco Planning Consultants Ltd.



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Executive Summary

In view of the commencement of Kwu Tung North/ Fanling North New Development Area (KTN/FLN NDA) development, a group of affected operators of the timber yard, sawmill and other related rural workshops in KTN have seek assistance from Hong Kong & Kowloon Timber Merchants Association Limited (HKTMA) to make their relocation and continuation of their business a seamless transition to further support Hong Kong in their specialised areas. A section 16 (s.16) planning application No. A/NE-MKT/35 (MKT/35) was submitted by HKTMA for a proposed temporary warehouse (storage of timber and other associated materials) and associate filling of land for a period of three years at a site covering various lots in D.D. 86 and D.D. 90 and adjoining Government land, Lin Ma Hang Road, Sha Ling (the Site). It was approved with conditions by the Town Planning Board (the Board) on 19.7.2024.

Subsequently, HKTMA started the process to fulfill the approval conditions. Majority of the conditions have been complied with, and HKTMA is working hard to comply with the last condition related to the implementation of the Fire Services Installation (FSIs) proposals. In view that sprinklers can only be provided once the built-over area is mostly constructed, such approval condition can only be fulfilled after obtaining approvals from relevant authority under land administration regime. However, due to the large site area and complicated land ownership issues, land application was still being processed at that moment of time, which had led to unexpected delay of construction works and revocation of the previous approval. Nevertheless, only three outstanding FSIs aspects remain, which HKTMA anticipates can be resolved shortly.

In order to facilitate the continual operation of the existing warehouses at the Site, this s.16 planning application for the same use is hereby submitted by Toco Planning Consultants Limited on behalf of HKTMA (the Applicant) for the Town Planning Board (the Board)'s consideration and approval. The Site has a total site area of about 20,512.5m², and it is zoned currently zoned "Agriculture" ("AGR") on the Approved Man Kam To Outline Zoning Plan No. S/NE-MKT/7. There are no changes to the site area and configuration, development scheme and parameters, and business operation when compared with the previously approved MKT/35 proposal, i.e. a total gross floor area of about 14,262.8m², a building height of not more than 12m, and operation hours 8:00 – 18:00 from Monday to Saturday and no operation on Sunday and public holidays.

Planning assessment shows that the Site has already been occupied by a temporary warehouse under previous planning permission, thus its planning background fully supports this application. There is no significant change in planning circumstances such as planning policy and land use zoning in the area recently. The small scale development will not result in any significant traffic, environmental, drainage, sewerage, landscape, visual and geotechnical impacts. Being temporary in nature, approval of the present application will not set an undesirable precedent for other similar applications and frustrate the long-term planning intention of the "AGR" zone.

行政摘要

(內容如有差異，應以英文版本為準)

鑑於古洞北／粉嶺北新發展區工程的展開，一批古洞北的木園、鋸木廠及其他相關鄉郊工場之受影響的營運者向港九木行商會有限公司（商會）尋求協助，希望在搬遷及業務延續方面能順利過渡，繼續在其專業領域上為香港作出貢獻。為此，商會根據城市規劃（城規）條例第 16 條向城市規劃委員會（城規會）提交了規劃許可申請（編號：A/NE-MKT/35）（MKT/35），擬在沙嶺蓮麻坑路丈量約份第 86 及第 90 約多個地段及毗連政府土地（下稱「申請地點」）興建臨時貨倉（存放木材及附屬材料）及相關填土工程，為期三年。該申請已於 2024 年 7 月 19 日獲城規會在有附帶條件下批准。

其後，商會隨即展開履行規劃許可附帶條件之工作。商會大部分附帶條件已經符合，而亦正全力處理最後一項與消防裝置實施建議有關的條件。由於自動灑水系統須在大部分上蓋結構建成後方可安裝，因此只能在相關地政申請獲得大部份批准後方能完成。然而，受制於申請地點面積龐大及土地業權複雜，土地申請在當時仍在處理中，導致建造工程延誤而最終令規劃許可被撤銷。儘管如此，目前僅餘三項與消防裝置相關的細節仍待完成，商會預期可於短期內解決。

為確保申請地點現有倉庫的持續運作，現由達材都市規劃顧問有限公司代表商會（申請人）就同類用途據城規條例第 16 條提交規劃許可申請，供城規會審議及批准。申請地點總面積約 20,512.5 平方米，現時在文錦渡分區計劃大綱核准圖編號 S/NE-MKT/7 上被訂為「農業」地帶。與先前獲批的 MKT/35 申請相比，是次申請的地盤面積及形狀、發展計劃及參數、以及經營運作安排上均沒有任何改動，即總樓面面積約 14,262.8 平方米，建築物高度不多於 12 米，營運時間周一至週六由早上 8 時至下午 6 時，週日和公眾假日不會營業。

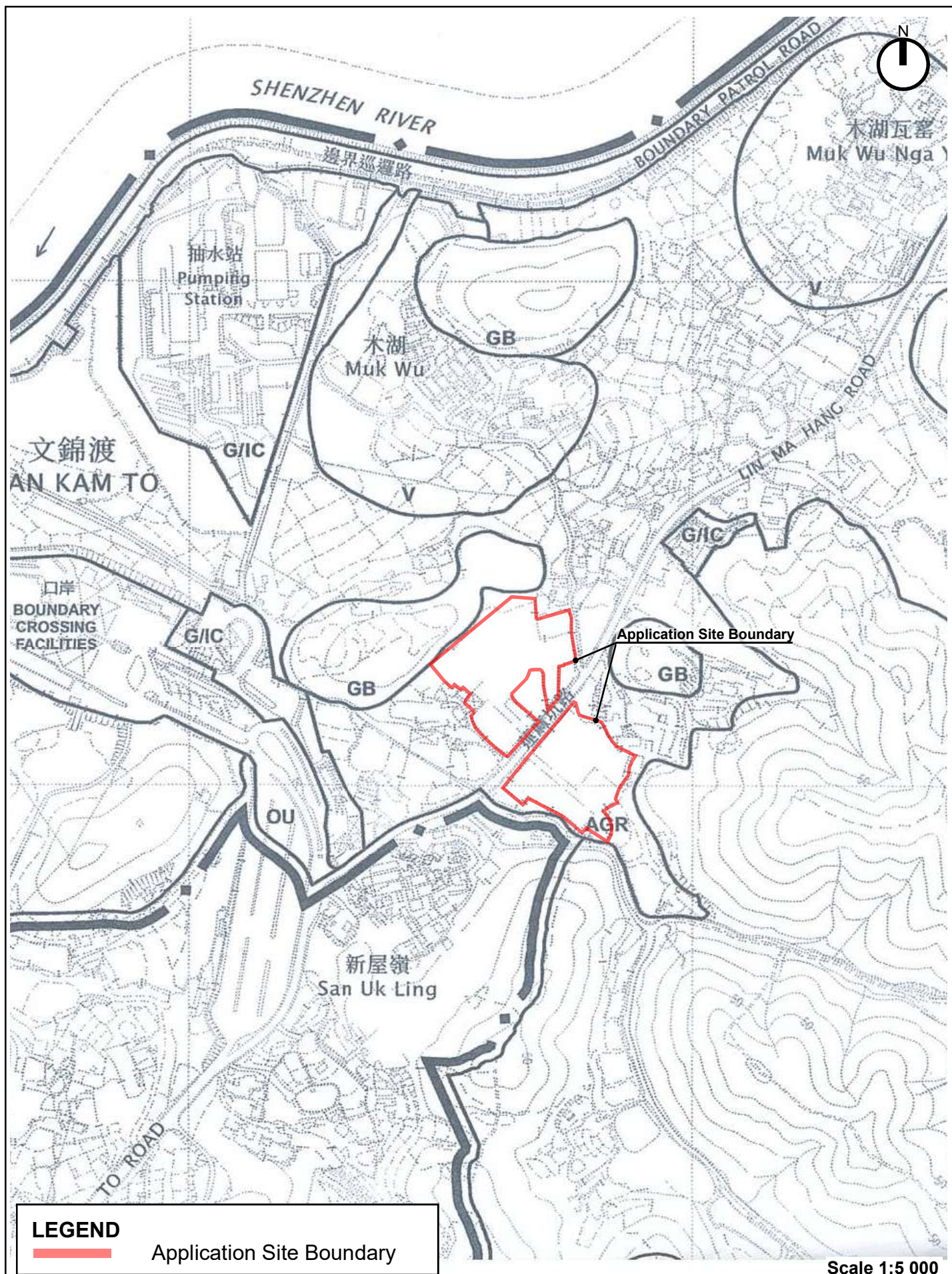
規劃評估指出，鑑於申請地點已根據先前的規劃許可作為臨時貨倉用途，其規劃背景充分支持是次申請，而區內近年的規劃情況（例如政策或土地用途）上並沒有重大改變。基於申請屬小規模發展，故不會對交通、環境、排水、污水處理、景觀、視覺及岩土工程造成任何顯著影響。由於屬臨時性質，批准本申請不會為其他類似申請樹立不良先例，亦不會阻礙「農業」地帶的長遠規劃意向。

1. Purpose of Submission

- 1.1 This section 16 (s.16) planning application is submitted by Toco Planning Consultants Limited on behalf of the Applicant, i.e. Hong Kong & Kowloon Timber Merchants Association Limited (HKTMA), to seek planning permission from the Town Planning Board (the Board) for a proposed temporary warehouse (storage of timber and other associated materials) and associated filling of land for a period of three years at the application site (the Site) covering various lots in D.D. 86 and D.D. 90 and adjoining Government land (GL), Lin Ma Hang Road, Sha Ling.
- 1.2 The Site with an area of about 20,512.5m² falls within an area zoned “Agriculture” (“AGR”) on the Approved Man Kam To Outline Zoning Plan (OZP) No. S/NE-MKT/7 (see **Plan A**). It is divided into two portions bisected by Lin Ma Hang Road, namely the “eastern site” and the “western site” (i.e. representing the sites in the eastbound and westbound of Lin Ma Hang Road respectively).

2. Background of the Application

- 2.1 HKTMA was established early in 1931 with a long history in promoting timber industry in Hong Kong. Their mission is to safeguard the interest of their members. Due to the implementation of the Kwu Tung North/ Fanling North New Development Area (KTN/FLN NDA) development (construction works commenced in September 2019), many timber yards and other related operators in Ma Tso Lung are affected/displaced by the NDA development (including the eight operators under the current application). The original sites in Ma Tso Lung of some of the affected companies had already been reverted and resumed by the Government as early as 2021. This application seeks to secure the venue for the affected operators to continue their operations.
- 2.2 The entire/ part of the Site is subjected to two previously approved applications for a proposed temporary rural workshop (timber yard and sawmill) for a period of three years under application No. A/NE-MKT/17 (MKT/17) and for the same applied use under application No. A/NE-MKT/35 (MKT/35) on 30.4.2021 and 19.7.2024 respectively (see **Appendix I**). Based on the latest approval (i.e. MKT/35), majority of the approval conditions have been complied with (see **Appendix II to V**), and the Applicant has been working hard to comply with the last condition related to the implementation of fire service installations (FSIs) proposals. In view that sprinklers can only be provided once the built-over area is mostly constructed, such approval condition can only be fulfilled after obtaining approvals from relevant authority under land administration regime. However, due to the large site area and complicated land ownership issues, land application was still being processed at that moment of time, which had led to unexpected delay of construction works and revocation of the previous approval. Nevertheless, according to the latest comments from Fire Services Department (FSD) dated 17.4.2026, only three outstanding aspects remain (see **Appendix IV**), which the Applicant anticipates can be resolved shortly.



Plan A: Zoning Plan for the Application Site

Extract of Approved Man Kam To Outline Zoning Plan No. S/NE-MKT/7

(Prepared on 28.4.2026)

- 2.3 In order to facilitate the continual operation of the existing warehouses at the Site, this s.16 planning application for the same use is submitted for the Board's consideration. There are no changes to the development scheme or planning parameters when compared with the previously approved MKT/35 proposal.

3. Site and Planning Context

3.1 Planning Context

- 3.1.1 The Site is zoned "AGR" on the Approved Man Kam To OZP No. S/NE-MKT/7 (see **Plan A**). The planning intention of this zone is primarily to retain and safeguard good quality agricultural land/ farm/ fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purpose.
- 3.1.2 The entire/ part of the Site is the subject of two previous s.16 planning applications (MKT/17 and MKT/35) for different temporary uses. MKT/17 was submitted by the same Applicant for a temporary rural workshop (timber yard and sawmill) for a period of three years, and it was approved with conditions by the Board on 30.4.2021 (see **Appendix I**). The Applicant had complied with most of the approval conditions.
- 3.1.3 In view of the large site area and complicated land ownership issues, it had led to unexpected delay of construction works and revocation of MKT/17. As such, the Applicant resubmitted the s.16 planning application, taking the opportunity to revise the site area to accommodate two additional operators affected by the NDA development. In addition, the resawing services originally proposed under the approved MKT/17 scheme were discontinued, as the relevant facilities had been relocated and re-provisioned in Mainland China. Accordingly, the MKT/35 application proposed only the storage of timber and other associated construction materials (such as metal construction materials), and it was approved with conditions by the Board on 19.7.2024. Majority of the approval conditions have been complied with (see **Appendix II to V**).
- 3.1.4 As the planning permission was revoked in April 2026 due to non-compliance with the last approval condition relating to implementation of FSIs proposals, the present s.16 planning application is hereby submitted for the Board's consideration and approval.

3.2 Existing Site Condition and Its Surrounding Areas

- 3.2.1 The Site is located along (and accessible from) Lin Ma Hang Road, Sha Ling. It is divided into two portion bisected by Lin Ma Hang Road, namely the eastern site (eastbound of Lin Ma Hang Road) and the western site (westbound of Lin Ma Hang Road) (see **Plan B**). The eastern site is bounded by a paved area with some temporary structures to the north; slopes and trees to the east; a small stream across a strip of vegetation to the south; and Lin Ma Hang Road to the west. The western site is bounded by temporary structures and a rural road to the north; Lin Ma Hang Road to the east; a footpath with some temporary structures to the south; and slopes and trees to the east. Bus stops are located about 200m from the Site in Man Kam To Road.

3.2.2 The Site has a total area of about 20,512.5m². Currently, it is mostly hard paved, fenced off and partly covered by the built-over area based on the approved scheme MKT/35.

3.2.3 The surrounding areas are predominantly intermixed with open storage yards, warehouses, domestic structures, fallow agricultural land and tree clusters. San Uk Ling Village is located further south of the Site across the stream and tree clusters.

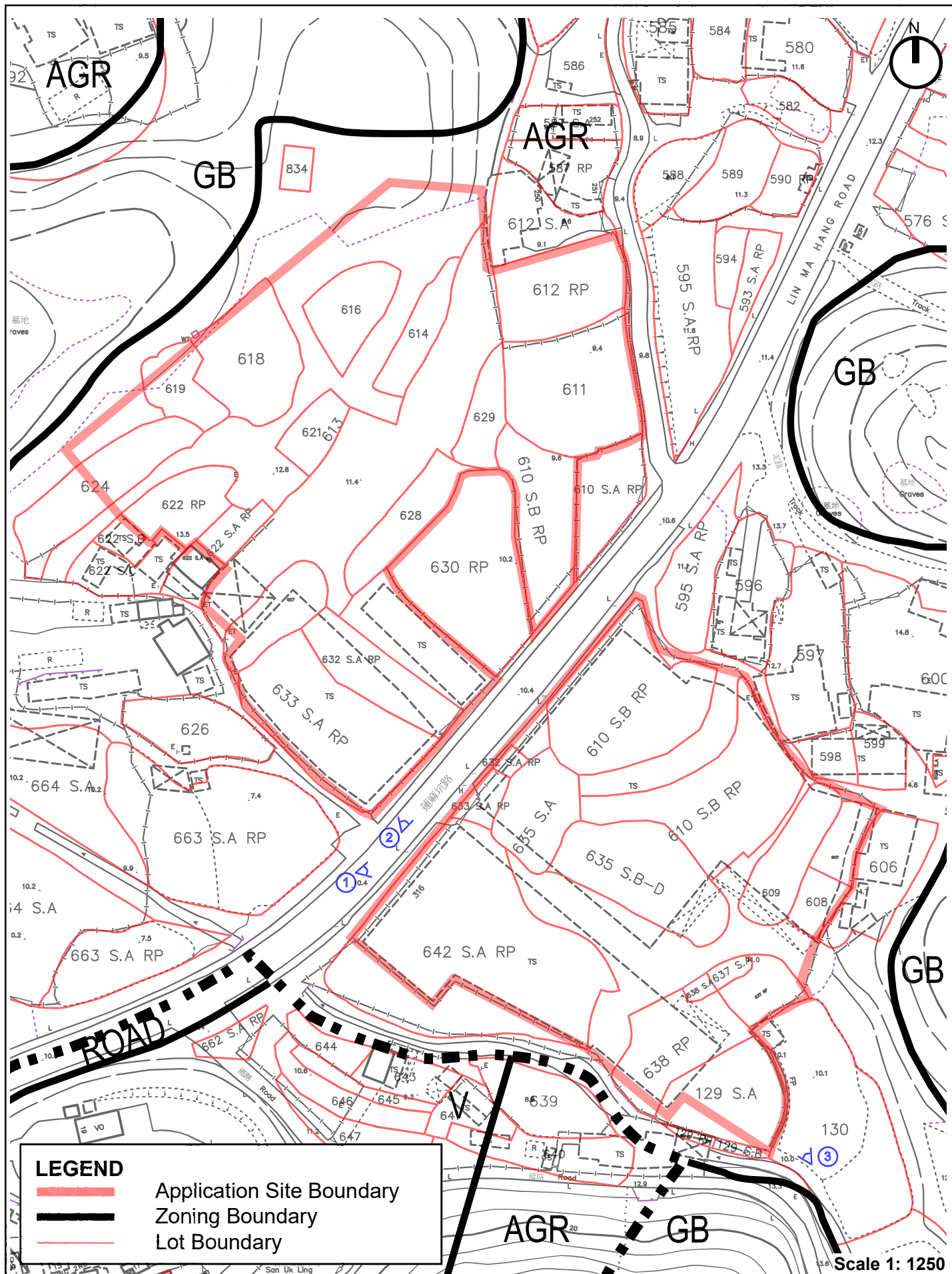
3.3 Land Status

3.3.1 The Site comprises Lot 129 S.A (part) in D.D. 86 and Lots 607, 608, 609, 610 S.B RP, 611, 612 RP, 613 (part), 614, 616, 618 (part), 619 (part), 621, 622 S.A RP, 622 RP, 624 (part), 627 (part), 628, 629, 632 S.A RP, 633 S.A RP (part), 635 S.A, 635 S.B, 635 S.C, 635 S.D, 637 S.A, 637 RP, 638 S.A, 638 RP (part) and 642 S.A RP (part) in D.D. 90 and adjoining GL (see **Plan B**). The total area of the private lots and GL within the Site are about 16,334.3m² and about 4,178.2m² respectively. A breakdown of the lot sizes is shown in **Table 3.1** below.

Table 3.1: Breakdown of the Site Area of Each Private Lot and GL within the Site

The East Site		The West Site	
Lot No.	Site Area (sqm)	Lot No.	Site Area(sqm)
Lot 129 S.A (part) in D.D. 86	476.6	Lot 610 S.B RP in D.D. 90	621.4
Lot 607 in D.D. 90	188.8	Lot 611 in D.D. 90	930.1
Lot 608 in D.D. 90	153.4	Lot 612 RP in D.D. 90	630.7
Lot 609 in D.D. 90	401.1	Lot 613 (part) in D.D. 90	1,859.3
Lot 610 S.B RP in D.D. 90	2,084.1	Lot 614 in D.D. 90	263.9
Lot 632 S.A RP in D.D. 90	37.1	Lot 616 in D.D. 90	374.9
Lot 633 S.A RP in D.D. 90	111.2	Lot 618 (part) in D.D. 90	624.6
Lot 635 S.A in D.D. 90	439.7	Lot 619 (part) in D.D. 90	227.5
Lot 635 S.B-D in D.D. 90	814.7	Lot 621 in D.D. 90	202.0
Lot 637 S.A in D.D. 90	53.7	Lot 622 S.A RP in D.D. 90	144.0
Lot 637 RP in D.D. 90	228.7	Lot 622 RP in D.D. 90	347.2
Lot 638 S.A in D.D. 90	34.9	Lot 624 (part) in D.D. 90	305.2
Lot 638 RP (part) in D.D. 90	530.2	Lot 627 (part) in D.D. 90	335.9
Lot 642A RP (part) in D.D. 90	1,785.3	Lot 628 in D.D. 90	372.9
		Lot 629 in D.D. 90	242.3
		Lot 632 S.A RP in D.D. 90	483.3
		Lot 633 S.A RP (part) in D.D. 90	1,029.6
Government Land	1,680.0	Government Land	2,498.2
Total	9,019.5	Total	11,493.0

3.3.2 The Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. In this regard, the owner(s) of the lots concerned had already applied to Lands Department (LandsD) a Short Term Waiver (STW) and Short Term Tenancy (STT) covering all the actual occupation area based on the previous MKT/35. In view that the development scheme under this application is the same as the previous MKT/35, modification of the STW and STT conditions are not required.



Plan B: Site, Zoning and Land Status Plan for the Application Site

(Prepared on 14.5.2026)



Photo 1: Site A, B Entrance



Photo 2: Site C, D, E Entrance



Photo 3: The Aerial Photo of the Application Site



Plan B-1: Photos for the Application Site
(Viewpoints please see Plan B)

(Prepared on 28.4.2026)

4. The Development Proposal

4.1 The Layout

4.1.1 In this s.16 planning application, there are no changes to the site area and configuration, development scheme and parameters, and business operation when compared with the previously approved MKT/35 proposal. Same as the previously approved scheme, the subject development has been divided into 5 portions in order to facilitate better management and operation of the 8 warehouses. The layout plan is shown in **Plan C** and key development parameters of the subject development are tabulated below:

(i) Site A

Site A covers the northern part of the eastern site and it will be occupied by the warehouse for Million Loy Development Limited. The warehouse has an operational area of about 4,856.3m². The ingress/ egress point will be shared with Site B connecting Lin Ma Hang Road and it is about 7.3m wide.

(ii) Site B

Site B covers the southern part of the eastern site and it will be occupied by the warehouses for several operators, i.e. Truefaith Enterprise Limited (Site B1), Fai Kee Timber Company Limited (Site B2), Tak Kee Timber Company (Site B3) and Wong Chu Kee Timber (Site B4). The warehouses have a total operational area of about 2,854.1m². The ingress/ egress point will be shared with Site A connecting Lin Ma Hang Road and it is about 7.3m wide.

(iii) Site C

Site C covers the southern part of the western site and it will be occupied by the warehouses for Polyrife. The warehouses have an operational area of about 2,941.3m². The ingress/ egress point (about 7.3m wide) will be shared with Site D and Site E connecting Lin Ma Hang Road.

(iv) Site D

Site D covers the western part of the western site and it will be occupied by the warehouse for Serawak (K.T.) Company Limited. The warehouse has an operational area of about 2,898.7m². The ingress/ egress point is shared with Site C and Site E connecting Lin Ma Hang Road and it is about 7.3m wide.

(v) Site E

Site E covers the eastern part of the western site and it is occupied by the warehouse for Ronca Exhibition Limited. The warehouse will have an operational area of about 3,713.9m². The ingress/ egress point will be shared with Site C and Site D connecting Lin Ma Hang Road and it is about 7.3m wide.

4.1.2 Details of the business and operational background of each of the operator are at **Appendix VII**.

4.1.4 Key development parameters for the subject development are shown in **Table 4.1**. It should be the same as previously approved MKT/35 proposal, however, due to detailed checking, the total gross floor area (GFA) of the Site has been minor updated to be about 14,262.8m², and is fenced off by 2.5m high corrugated metal sheets. All the structures are not to be taller than 12m and they are set back 1m from the site boundary to allow drainage facilities. The shed is mainly used for access and temporary storage purpose.

4.1.3 Same as the previously approved MKT/35 proposal, the subject warehouse will also continue to provide supporting facilities such as ancillary office, toilets, loading/ unloading and parking purposes. The operation hour of all the operators at the site will be in line and the same, i.e. 8:00 – 18:00 from Monday to Saturday and no operation on Sunday and public holidays.

Table 4.1: Key Development Parameters for the Current Application

		The Eastern Site			The Western Site		
Site Location		Site A	Site B		Site C	Site D	Site E
Uses		Temporary Warehouse (Storage of Timber and other Associated Materials)					
Site Area (~sq.m)	Total:	20,512.5					
		9,019.5			11, 493		
	Shared Access	418.7			743.5		
	Turnaround Area	611.2			946.3		
	Landscape Buffer	215.2			249.3		
	Guard House with Store Room	64			-		
	Operational Area	4,856.3	B1	912.4	2,941.3	2,898.7	3,713.9
			B2	935.8			
			B3	546.8			
B4			459.1				
	Subtotal	2,854.1					
Site Coverage (~sq.m)	Total:	13,922.9					
		6,728.8			7,194.1		
Gross Floor Area (~sq.m)	Total:	14,262.8					
		6,824.8			7,438		
	Structure for warehouse, parking, loading/ unloading (1 storey, 12m in height)	3,780.8 (excluding office area)	2,690.5		2,479.5 (excluding office area)	1,997.2	2,303.7
	Shed (1 storey, 8m in height)	161.5	-		-	-	169.6
	Ancillary Office (2 storeys, 5m in height)	112	-		122	-	366
	Guard House with Store Room (2 storey, 6m in height)	80			-		
	Internal Transport Facilities	private car parking spaces (2.5m x 5m)	3	5		2	1
loading/unloading bays for HGV or MGW (3.5 x 11m)		-	4		1	1	1
loading/unloading bays for container vehicle or HGV (3.5 x 16m)		2	-		1	1	1

4.2 Management and Crowd Measures

- 4.2.1 Same as the previously approved MKT/35 proposal, to ensure no queuing on Lin Ma Hang Road due to the subject development, a staff would be arranged for communicate the drivers and appointment will be needed for goods vehicles, such that blockage at the access road and run-in/out can be avoided.
- 4.2.2 A staff will also be deployed to assist and direct long vehicles entering / exiting the site to assure compatibility and safety.
- 4.2.3 To ensure pedestrian safety, staff will be deployed by the applicant to direct vehicle entering / exiting the site. "Stop and Give way" and "beware of pedestrians" signs would be erected to ensure pedestrian safety to/from the Site.
- 4.2.4 In addition, flashing light and alarm systems will be set at the entrance of the Application Site, whenever vehicles are to be accessed to / exit from the Application Site, the flashing light and alarm will work immediately to alarm the pedestrians. Adequate lights would be provided for safety concerns.
- 4.2.5 The above measures have been implemented on site (see **Appendix V**).

4.3 Technical Feasibility

- 4.3.1 In support of the previously approved MKT/35 proposal, the Applicant had conducted relevant technical assessments to demonstrate that the development scheme is technically feasible.

(i) Landscape Aspect

In MKT/17, a Landscape Proposal was submitted for compliance with approval condition (e) and on 28.10.2021, Planning Department (PlanD) considered the Landscape Proposal acceptable. Moreover, the executed implementation work of the Landscape Proposal was also accepted by PlanD on 12.9.2023 (i.e. approval condition (f) has been complied with). Subsequently in MKT/35, landscape improvements were proposed and implemented accordingly. An existing tree record is attached in **Appendix VI**.

(ii) Traffic Aspect

The Site can be accessed directly by both side of Lin Ma Hang Road. Public transport facilities are provided along Man Kam To Road and Lin Ma Hang Road within 500m catchment area. Staffs/ visitors can take public transport to/ from the site. Since the requirements of provision of internal transport facilities for the proposed temporary warehouse are not specified in the Hong Kong Planning Standards and Guidelines, it is estimated based on the existing operation and traffic generation provided by HKTMA.

In MKT/35, a Preliminary Traffic Impact Assessment (TIA) with swept path analysis and proposed traffic management measures was submitted at the s.16 planning application stage, and Transport Department (TD) considered the TIA acceptable. Subsequently, the approval condition (i) regarding the implementation of traffic management measures was complied with on 28.3.2025 (see **Appendix V**). In view that, under the current application, no changes have been made to the operation of the subject warehouse as compared to the MKT/35, the access arrangement and internal transport facilities for the subject development will remain unchanged.

(iii) Environmental Aspect

In MKT/17, an Environmental Proposal (EP) was submitted for compliance with approval condition (i) and on 5.7.2023, Environmental Protection Department (EPD) considered the EP acceptable. Subsequently in MKT/35, the EP was updated based on the latest proposal and the Applicant has constructed the warehouses based on the approved EP.

Since there are no changes to the development scheme, planning parameters and operation when compared with the previously approved MKT/35 proposal, and the warehouse has mostly been constructed, additional environmental mitigation measures for the subject development are considered not necessary.

(iv) Drainage Aspect

In MKT/35, a Drainage Impact Assessment (DIA) was submitted for compliance with approval condition (d), and on 5.6.2025 Drainage Services Department (DSD) considered the DIA acceptable after one round of further clarifications were provided on 20.3.2025 (see **Appendix III**). Moreover, the executed implementation work of the DIA was also accepted by DSD on 17.4.2026 (i.e. approval condition (e) has been complied with).

Since there are no changes to the development scheme (i.e. paved area and built-over area at the Site will remain unchanged) when compared with the previously approved MKT/35 proposal, additional drainage mitigation measures for the subject development are considered not required.

(v) Fire Safety Aspect

In MKT/35, a FSIs Proposals was submitted for compliance with approval condition (g). It was considered acceptable by FSD on 17.10.2024 (see **Appendix IV**). As detailed previously, according to the FSD's comments dated 17.4.2026, only three outstanding aspects remain, which the Applicant is actively liaising with FSD on the necessary requirements and anticipates can be resolved shortly. The status of works to comply with the remaining three concerns could be summarised as follows:

- (i) The Applicant will renovate the respective pump rooms to be enclosed to form a proper compartment;
- (ii) The Applicant will provide notices within the site to remind operators the method of storage goods shall comply with the requirement as stipulated by standards/codes of sprinkler system; and
- (iii) The Applicant will install pressure gauges on all fire service inlets.

The Applicant is confident that there is a good prospect to complete the remaining implementation works within the applied period.

(vi) Geotechnical Aspect

In MKT/35, a Geotechnical Planning Review Report (GPRR) was submitted for compliance with approval condition (b). It was considered acceptable by Civil Engineering and Development Department (CEDD) on 4.10.2024 (see **Appendix II**). Moreover, the executed implementation work of the GPRR was also accepted by CEDD on 2.1.2025 (i.e. approval condition (c) has been complied with).

Since there are no changes to the development scheme (i.e. paved area and built-over area at the Site will remain unchanged) when compared with the previously approved MKT/35 proposal, additional remedial works for the subject development are considered not required.

- 4.3.2 As there are no changes to the development scheme or planning parameters when compared with the previously approved MKT/35 proposal, and there is no significant change in planning circumstances such as planning policy and land use zoning in the area recently, the Applicant considers that all technical assessments previously submitted remain valid and continue to demonstrate the technical feasibility of the proposed temporary development.

5. Planning Justifications

5.1 The Planning History of Temporary Warehouse Use at the Site

- 5.1.1 The entire/ part of the Site is subjected to two previously approved applications for a proposed temporary rural workshop (timber yard and sawmill) for a period of three years under MKT/17 and for the same use under MKT/35 on 30.4.2021 and 19.7.2024 respectively (see **Appendix I**). These previously approved applications were to facilitate the relocation of eight timber yards and sawmill workshops in Kwu Tung North affected by government project, i.e. KTN/FLN NDA.
- 5.1.2 After the latest s.16 planning application under MKT/35 was approved with conditions by the Board, the Applicant started the process to fulfill the approval conditions and to deal with the land applications and ownership issues related to the site. Approval conditions (a), (f), (k), (l), (m) and (n) only refer to the operational control and planning control to the conditions with a prescribed time limit. However, approval conditions (b), (c), (d), (e), (g), (h), (i) and (j) refer to the submission and implementation of the proposals for geotechnical, drainage, FSIs and traffic management aspects within the prescribed time limit.
- 5.1.3 Based on the latest approval (i.e. MKT/35), majority of the approval conditions have been complied with (see **Appendix II**), and the Applicant has been working hard to comply with the last condition related to the implementation of FSIs proposals. In view that the sprinklers can only be completed once the built-over area is mostly constructed, the condition in relation to the implementation of FSIs Proposals could only be fulfilled after obtaining approvals from relevant authority under land administration regime. However, due to the large site area and complicated land ownership issues, land application was still being processed at that moment of time, which had led to unexpected delay of construction works and revocation of the previous approval.
- 5.1.4 In view of the reasons above the delay of the compliance in all the approval conditions is beyond the Applicant's control. The present s.16 planning application is hereby submitted for the Board's consideration and approval, and there are no changes to the development scheme or planning parameters when compared with the previously approved MKT/35 proposal. According to the latest comments from FSD dated 17.4.2026, only three outstanding aspects remain (see **Appendix III**), which the Applicant anticipates can be resolved shortly. Due to majority of the implementation works have been completed, the Applicant is confident that there is a good prospect to complete the remaining implementation works within the applied period.

5.2 Planning Justifications for Previously Approved Application Remain Valid

5.2.1 In this s.16 planning application, there are no changes to the development scheme or planning parameters when compared with the previously approved MKT/35 proposal. Since there is no significant change in planning circumstances such as planning policy and land use zoning in the area recently, all the planning justifications under the previously approved application remain valid and the main points are summarised below:

(i) Maintain the Supply of Timber and Associated Materials to Support the Construction Projects and Timber Products in Hong Kong

Timber industry has undergone significant changes over the past decades and many timber operators ceased their business because of shortage of suitable land for their operations. The 8 operators are vital in the timber and related industry as they are the several remaining timber importers and suppliers that continue to contribute significantly to a number of construction projects, furniture productions and construction of exhibition spaces in Hong Kong. They are key players in the discipline of timber and related industry, and each of them contributes greatly in different divisions of the Hong Kong timber industry (see **Appendix IV**). The approval of this application would allow them to continue their business, maintain the industry, provide timber supply and support the economy in Hong Kong.

(ii) Safeguard Operational Continuity of Affected Operators

Due to the construction works for the KTN/FLN NDA development commenced in 2019, many private lands in Ma Tso Lung have been greatly affected. The concerned sites within the KTN/FLN NDA had already been resumed and reverted to the Government. In this regard, a group of affected operators urgently seek assistance from HKTMA to make their relocation and continuation of their business a seamless transition to further support Hong Kong in their specialised areas. Various discussions have been made between Development Bureau and HKTMA in regards to the relocation of the affected operators over the past several years.

(iii) Site Suitability for the Proposed Relocation

As detailed in **Appendix IV**, the Applicant has carried out site search in the territory for re-provisioning of their business in various areas including Hung Lung Hang, Tai Kwu Ling, Sha Tau Kok, etc. However, those sites were considered not suitable taking into account affordability and area being too small, etc. Eventually, HKTMA has identified the subject Sha Ling site located along Lin Ma Hang Road as the best available option. The Site is operationally and financially suitable than the other sites. It has a large site area of more than 20,000m² which will be able to meet the need for the business of the 8 affected operators. Right of way disputes will be avoided since the access to the Site will not encroach onto the private lots from the other landowners. Besides, the Site is conveniently served by local networks (i.e. Lin Ma Hang Road towards Man Kam To Road) and close to the boundary crossing points. The Applicant had spent great effort to secure the

subject private lots that could form an appropriate site size which meets the 8 operator's operational needs. Some operators have already settled in the Site.

(iv) The Site is No Longer Suitable for Agricultural Use

The Site is zoned "AGR" which is intended to retain and safeguard good quality agricultural land/ farm/ fish ponds for agricultural purpose. However, the Site is considered no longer suitable for agricultural rehabilitation since the Site is already hard paved, fenced off, and mostly covered by the built-over area based on the latest approved scheme. Approval of the planning application on a temporary basis will not frustrate the long-term planning intention of the "AGR" zone.

Having considered the fact that some open storage/ workshops are sited further west and north of the Site, and several graves are located further north, it is unlikely that the planning intention of "AGR" zone in close vicinity could be materialised in short term until the surrounding characteristics are entirely and compulsorily required to be reverted to agricultural activities. Given that the timber operators have been in operation for between 18 to 60 years, the 8 operators have been serving the construction industry and wood related productions and goods with good track records. In order to be compatible with the surrounding environment, various mitigation measures such as providing appropriate setback from the adjacent stream and slope had been implemented.

(v) Appropriate Form of Development

Although the Site is zoned "AGR" on the Man Kam To OZP, it is considered less susceptible to the local environment as the storage and warehouse uses have been located within the covered structures. The subject uses are low-rise in nature and are compatible with the surrounding land uses which are mainly occupied by workshops and paved area/ dry abandoned field. They are situated within a reasonable distance from the residential settlement. There are no sensitive zonings (i.e. such as Green Belt, Coastal Protection Area, Site of Special Scientific Interest or Country Park) in the vicinity of the Site. Pond filling or substantial clearance of vegetation is not required.

5.3 No Adverse Technical Impact

- 5.3.1 As there are no changes to the proposed development parameters or application area compared with the previously approved MKT/35 application, and given that the primary purpose of the current submission is to allow additional time to comply with the final approval condition relating to the fire service installations proposal, the Applicant considers that all technical assessments submitted under the MKT/35 application remain valid and continue to demonstrate the technical feasibility of the proposed temporary development. Appropriate mitigation measures have already been implemented where necessary. Accordingly, this small-scale development will not give rise to any significant geotechnical, traffic, environmental, drainage, sewerage, landscape, or visual impacts on the locality.

5.4 Unlikely to Set as an Undesirable Precedent

- 5.4.1 The entire/ part of the Site is the subject of two previously approved applications for temporary rural workshop (timber yard and sawmill) under (MKT/17) and for the same use under MKT/35. These applications were approved mainly on considerations that the proposed use was not entirely incompatible with the surrounding uses; no major adverse departmental comments on the application; and Secretary of Development rendered policy support to the application. The planning circumstances of the current application are similar to the previously approved applications. As such, approval of the current application is in line with the Board's previous decisions.
- 5.4.2 Same as MKT/35, the subject development is an exceptional case which is justified on the demand for relocation of the existing sawmills, timber yards and other related rural workshops with long history due to the concerned sites within the KTN/FLN NDA had already been reverted to and resumed by the Government. The uniqueness of the history of the 8 operators and their contribution to the timber industry in Hong Kong and the reason behind this planning application are not something that can be easily imitated. Moreover being temporary in nature, the approval of the present application will not set an undesirable precedent for other similar applications in the same and other "AGR" zones in the vicinity. It will not frustrate the long-term planning intention of the "AGR" zone.

6 Conclusion and Recommendations

- 6.1 In view of the commencement of KTN/FLN NDA development, a group of affected operators of the timber yard and sawmill in KTN have seek assistance from HKTMA to make their relocation and continuation of their business a seamless transition to further support Hong Kong in their specialised areas. A s.16 planning application No. A/NE-MKT/35 was submitted for a proposed temporary warehouse (storage of timber and other associated materials) and associate filling of land for a period of three years at a site covering various lots in D.D. 86 and D.D. 90 and adjoining GL, Lin Ma Hang Road, Sha Ling, and it was approved with conditions by the Board on 19.7.2024.
- 6.2 Subsequently, the Applicant started the process to fulfill the approval conditions. Majority of the conditions have been complied with and the Applicant is working hard to comply with the last condition related to the implementation of the FSI's proposals. In view that sprinklers can only be provided once the built-over area is mostly constructed, such approval condition can only be fulfilled after obtaining approvals from relevant authority under land administration regime. However, due to the large site area and complicated land ownership issues, land application was still being processed at that moment of time, which had led to unexpected delay of construction works and revocation of the previous approval. Nevertheless, only three outstanding FSD's aspects remain, which the Applicant anticipates can be resolved shortly.
- 6.3 In order to facilitate the continual operation of the existing warehouses at the Site, this s.16 planning application for the same use is hereby submitted for the Board's consideration and approval. There are no changes to the development scheme when compared with the previously approved MKT/35 proposal. Planning assessments have indicated that the present application is well justified based on the following reasons:-
- (a) the Site is the subject of previously approved application (MKT/35) for the same applied use, and majority of the approval conditions for MKT/35 have been fulfilled;
 - (b) as the development scheme is the same as MKT/35, and there is no significant change in planning circumstances such as planning policy and land use zoning in the area recently, all the planning justifications under the previously approved application remain valid;
 - (c) the small scale development will not result in any significant traffic, environmental, drainage, sewerage, landscape, visual and geotechnical impacts; and
 - (d) being temporary in nature, approval of the present application will not set an undesirable precedent for other similar applications and frustrate the long-term planning intention of the "AGR" zone.
- 6.4 In light of the merits and small scale nature of the proposed temporary use and the justifications presented in the Planning Statement, honourable members of the Board are requested to approve this planning application.

城市規劃委員會

香港北角渣華道三百三十三號
北角政府合署十五樓

TOWN PLANNING BOARD

15/F., North Point Government Offices
333 Java Road, North Point,
Hong Kong.

傳 真 Fax: 2877 0245 / 2522 8426

電 話 Tel: 2231 4810

來函檔號 Your Reference:

覆函請註明本會檔號

In reply please quote this ref.: TPB/A/NE-MKT/17

By Post & Fax ([REDACTED])

14 May 2021

Toco Planning Consultants Ltd.



(Attn.: Ted Chan)

Dear Sir/Madam,

**Proposed Temporary Rural Workshop (Timber Yard and Sawmill)
for a Period of 3 Years in "Agriculture" Zone, Lot 129 (Part) in D.D. 86, Lots 607,
608, 609, 610 S.B RP (Part), 613 (Part), 627 (Part), 632 S.A RP, 633 S.A RP (Part),
635 S.A, 635 S.B, 635 S.C, 635 S.D, 637, 638 (Part) and 642 S.A RP (Part) in D.D. 90
and Adjoining Government Land, Lin Ma Hang Road, San Uk Ling, Man Kam To**

I refer to my letter to you dated 21.4.2021.

After giving consideration to the application, the Town Planning Board (TPB) approved the application for permission under section 16 of the Town Planning Ordinance on the terms of the application as submitted to the TPB. The permission shall be valid on a temporary basis for a period of 3 years until 30.4.2024 and is subject to the following conditions :

- (a) no operation between 6:00 p.m. and 8:00 a.m. on Mondays to Saturdays, as proposed by you, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by you, is allowed on the site during the planning approval period;
- (c) the submission of a drainage impact assessment within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 30.10.2021;
- (d) in relation to (c) above, the implementation of the drainage proposal identified therein within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 30.1.2022;
- (e) the submission of a landscape proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 30.10.2021;
- (f) in relation to (e) above, the implementation of the landscape proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 30.1.2022;

- (g) the submission of proposals for fire services installations and water supplies for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 30.10.2021;
- (h) in relation to (g) above, the implementation of the proposals for fire services installations and water supplies for firefighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 30.1.2022;
- (i) the submission of proposals for environmental mitigation measures within 6 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 30.10.2021;
- (j) in relation to (i) above, the implementation of the proposals for the environmental mitigation measures identified therein within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 30.1.2022;
- (k) if any of the above planning condition (a) or (b) 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;
- (l) if any of the above planning condition (c), (d), (e), (f), (g), (h), (i) or (j) 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
- (m) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of Director of Planning or of the TPB.

The TPB also agreed to advise you to note the advisory clauses as set out at Appendix IV of the TPB Paper.

You are reminded to **strictly** adhere to the time limit for complying with the above planning conditions. If any of the above planning conditions are not complied with by the specified time limit, the permission given shall be revoked without further notice and the development will be subject to enforcement action. If you wish to apply for extension of time for compliance with planning conditions, you should submit a section 16A application to the TPB no less than six weeks before the expiry of the specified time limit. This is to allow sufficient time for processing of the application in consultation with the concerned departments. The TPB will not consider any application for extension of time if the time limit specified in the permission has already expired at the time of consideration by the TPB. For details, please refer to the TPB Guidelines No. 34C and 36B. The Guidelines, application form (Form No. S16A) and the Guidance Notes for applications are available at the TPB's website (www.info.gov.hk/tpb/), the Planning Enquiry Counters of the Planning Department (Hotline : 2231 5000) at 17/F, North Point Government Offices, 333 Java Road, North Point; 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin; and the Secretariat of the TPB at 15/F, North Point Government Offices.

This temporary permission will lapse on 1.5.2024. You may submit an application to the TPB for renewal of the temporary permission no less than two months before its expiry by completing an application form (Form No. S16-III). For details, please refer to TPB

Guidelines No. 34C. However, the TPB is under no obligation to renew the temporary permission.

For amendments to the approved scheme that may be permitted with or without application under section 16A, please refer to TPB Guidelines No. 36B for details.

A copy of the TPB Paper in respect of the application (except the supplementary planning statement/technical report(s), if any) and the relevant extract of minutes of the TPB meeting held on 30.4.2021 are enclosed herewith for your reference.

Under section 17(1) of the Town Planning Ordinance, an applicant aggrieved by a decision of the TPB may apply to the TPB for a review of the decision. If you wish to seek a review, you should inform me within 21 days from the date of this letter (on or before 4.6.2021). I will then contact you to arrange a hearing before the TPB which you and/or your authorized representative will be invited to attend. The TPB is required to consider a review application within three months of receipt of the application for review. Please note that any review application will be published for three weeks for public comments.

This permission by the TPB under section 16 of the Town Planning Ordinance should not be taken to indicate that any other government approval which may be needed in connection with the development, will be given. You should approach the appropriate government departments on any such matter.

If you have any queries regarding this planning permission, please contact Mr. Tim Fung of Sha Tin, Tai Po & North District Planning Office at 2158 6237. In case you wish to consult the relevant Government departments on matters relating to the above approval conditions, a list of the concerned Government officers is attached herewith for your reference.

Yours faithfully,



(Raymond KAN)
for Secretary, Town Planning Board

城市規劃委員會

香港北角渣華道三百三十三號
北角政府合署十五樓

TOWN PLANNING BOARD

15/F., North Point Government Offices
333 Java Road, North Point,
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By Post

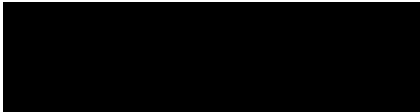
電 話 Tel: 2231 4810

來函檔號 Your Reference:

覆函請註明本會檔號
In reply please quote this ref.: TPB/A/NE-MKT/35

2 August 2024

Toco Planning Consultants Ltd.



(Attn.: Ted Chan)

Dear Sir/Madam,

Proposed Temporary Warehouse (Timber and Other Associated Materials) for a Period of 3 Years and Associated Filling of Land in “Agriculture” Zone, Lot 129 S.A (Part) in D.D. 86 and Various Lots in D.D. 90 and Adjoining Government Land, Lin Ma Hang Road, Sha Ling

I refer to my letter to you dated 19.6.2024.

After giving consideration to the application, the Town Planning Board (TPB) approved the application for permission under section 16 of the Town Planning Ordinance (the Ordinance) on the terms of the application as submitted to the TPB. The permission shall be valid on a temporary basis for a period of 3 years until 19.7.2027 and is subject to the following conditions :

- (a) the existing vehicular run-in/run-out to the site shall be maintained at all times during the planning approval period;
- (b) the submission of a geotechnical planning review report before the commencement of any construction works or operation including site formation works within Portion B to the satisfaction of the Director of Civil Engineering and Development Department or of the TPB;
- (c) in relation to (b) above, the implementation of necessary remedial works identified therein before the commencement of any construction works or operation including site formation works within Portion B to the satisfaction of the Director of Civil Engineering and Development Department or of the TPB;
- (d) the submission of a revised drainage impact assessment within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 19.1.2025;
- (e) in relation to (d) above, the provision of flood mitigation measures and any other stormwater drainage facilities in the accepted drainage impact assessment within 9 months from the date of planning approval to the

satisfaction of the Director of Drainage Services or of the TPB by 19.4.2025;

- (f) in relation to (e) above, the implemented flood mitigation measures and any other stormwater drainage facilities shall be maintained at all times during the planning approval period;
- (g) 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 TPB by 19.1.2025;
- (h) in relation to (g) above, the implementation of the fire services installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.4.2025;
- (i) the implementation of traffic management measures, as proposed by you, within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 19.4.2025;
- (j) in relation to (i) above, the implemented traffic management measures shall be maintained at all times during the planning approval period;
- (k) if any of the above planning condition (a), (f) or (j) 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;
- (l) if any of the above planning condition (b) or (c) is not complied with before the commencement of any construction works or operation including site formation works within Portion B, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning condition (d), (e), (g), (h) or (i) 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
- (n) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of Director of Planning or of the TPB.

The TPB also agreed to advise you to note the advisory clauses as set out at Appendix V of the TPB Paper.

You are reminded to **strictly** adhere to the time limit for complying with the above planning conditions. If any of the above planning conditions are not complied with by the specified time limit, the permission given shall be revoked without further notice and the development will be subject to enforcement action. If you wish to apply for extension of time for compliance with planning conditions, you should submit a section 16A application to the TPB no less than six weeks before the expiry of the specified time limit. This is to allow sufficient time for processing of the application in consultation with the concerned departments. The TPB will not consider any application for extension of time if the time limit specified in the permission has already expired at the time of consideration by the TPB. For details, including the total time period for compliance that might be granted, please refer to the TPB Guidelines No. 34D and 36C. The Guidelines, application form (Form No. S16A) and the

Guidance Notes for applications are available at the TPB's website (<https://www.tpb.gov.hk/en/resources/index.html>), the Planning Enquiry Counters of the Planning Department (Hotline : 2231 5000) at 17/F, North Point Government Offices, 333 Java Road, North Point; 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin; and the Secretariat of the TPB at 15/F, North Point Government Offices.

This temporary permission will lapse on 20.7.2027. You may submit an application to the TPB for renewal of the temporary permission no less than two months and normally no more than four months before its expiry by completing an application form (Form No. S16-III). Application submitted more than four months before expiry of the temporary approval may only be considered based on the individual merits and exceptional circumstances of each case. For details, please refer to TPB Guidelines No. 34D. However, the TPB is under no obligation to renew the temporary permission.

For amendments to the approved development that may be permitted with or without application under section 16A, please refer to TPB Guidelines No. 36C for details.

The TPB Paper in respect of the application is available at this link (https://www.tpb.gov.hk/en/meetings/RNTPC/Agenda/746_rnt_agenda.html) and the relevant extract of minutes of the TPB meeting held on 19.7.2024 is enclosed herewith for your reference.

Under section 17(1) and 17(1A) of the Ordinance, an applicant aggrieved by a decision of the TPB may in writing apply to the TPB for a review of the decision and set out the grounds for the review. If you wish to seek a review, you should inform me and provide the grounds for the review within 21 days from the date of this letter (on or before 23.8.2024). I will then contact you to arrange a hearing before the TPB which you and/or your authorized representative will be invited to attend. The TPB is required to consider a review application within three months of receipt of the application for review. Please note that any review application will be published for three weeks for public comments.

This permission by the TPB under section 16 of the Ordinance should not be taken to indicate that any other government approval which may be needed in connection with the development, will be given. You should approach the appropriate government departments on any such matter.

If you have any queries regarding this planning permission, please contact Mr. Ryan Ho of the Sha Tin, Tai Po & North District Planning Office at 2158 6229. In case you wish to consult the relevant Government departments on matters relating to the above approval conditions, a list of the concerned Government officers is attached herewith for your reference.

Yours faithfully,



(Leticia LEUNG)

for Secretary, Town Planning Board