

S.16 Planning Application for Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years in "Agriculture" Zone, Lots 777 (Part), 922 (Part), 923 RP and 924 RP in D.D. 107 and Adjoining Government Land, Kam Tin, Yuen Long, New Territories

Planning Statement

Section 16 Planning Application
Approved Kam Tin North Outline Zoning Plan
No. S/YL-KTN/11

Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years

Lots 777 (Part), 922 (Part), 923 RP and 924 RP in D.D. 107 and Adjoining Government Land, Kam Tin, Yuen Long, New Territories

Supporting Planning Statement

Applicant

Maxtop Sky Limited

January 2026

Supplementary Planning Statement

1 Introduction

- 1.1 The applicant seeks planning permission from the Town Planning Board (the TPB) under Section 16 of the Town Planning Ordinance for a Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years (the proposed development) at Lots 777 (Part), 922 (Part), 923 RP and 924 RP in D.D. 107 and Adjoining Government Land (GL), Kam Tin, Yuen Long, New Territories (the Site).
- 1.2 The Site falls within an area zoned "Agriculture" ("AGR") on the Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11, which is accessible from Mei Fung Road. This s.16 planning application is to seek planning permission from the TPB for the proposed development on a temporary basis for a period of 3 years to facilitate the relocation of a brownfield operation affected by the land resumption exercise of Hung Shui Kiu/ Ha Tsuen New Development Area (HSK/HT NDA) Second Phase Development.
- 1.3 This supporting planning statement aims to provide necessary information to facilitate TPB's consideration. The applicant respectfully requests favourable consideration of this s.16 planning application.
- 1.4 Following this Introduction, the case background and planning context of the Site will be set out in Sections 2 and 3. The development proposal is detailed in Section 4, while its planning justifications are discussed in Section 5. Section 6 concludes and summarises this Supporting Planning Statement.

2 Background

Current Business in Ha Tsuen

- 2.1 The applicant is a business operator originally at Ha Tsuen (Lot 269 RP and Adjoining Government Land in D.D. 125, Ha Tsuen, Yuen Long, New Territories), which is affected by the land resumption exercise of HSK/HT NDA Second Phase Development. It occupies an area of about 1,716m², falls within an area zoned “Open Space” (“O”) and “Residential (Group A) 2” (“R(A)2”) on the Approved Hung Shui Kiu and Ha Tsuen (HSK and HT) OZP No. S/HSK/2. The site is previously used for warehouse for the storage of building materials such as tiles and pipes. Since the applicant’s original site has been resumed by the Government for site clearance, site formation and associated infrastructure works, the applicant has discontinued the business operation on early January 2026. Hence, the applicant urgently needs to find a suitable site to relocate his affected business to continue his business operation. Details of the affected business operation are at **Appendix A** and **Appendix B**.

Table 1 – Comparison of the Details of the Original Site and Current Application Site

	Original Site	Current Application Site	Differences
Site Area	About 1,716m ²	About 1,668m ²	-2.8%
Uses	Warehouse (Storage of building material such as tiles, pipes etc.)	Warehouse (Storage of building material such as tiles, pipes etc.)	No Change

3 Planning Context

The Site and its surroundings

- 3.1 The Site is situated in Fung Kat Heung, Yuen Long, which occupies an area of about 1,668m² (**Plan 1** and **Plan 2**). The Site is currently fenced-off, partly covered with vegetation and partly hard-paved with concrete. It is mainly vacant with some temporary structures.
- 3.2 The surrounding areas of the Site are predominately rural in nature intermixed with brownfield uses such as open storage/storage yards and temporary structures for warehouse uses, eating place, farmland, grassland and vacant land.

Statutory Land Use Zoning

- 3.3 The Site falls within an area zoned “Agriculture” on the Approved Kam Tin North OZP No. S/YL-KTN/11. According to the Notes of the OZP, ‘Warehouse (Excluding Dangerous Goods Godown)’ is neither a Column 1 nor a Column 2 use. According to the covering Notes of the OZP, the temporary use or development of land or building exceeding three years requires permission from the TPB. Moreover, the Notes for the “AGR” zone also stipulate that filling of land (except laying of soil not exceeding 1.2m in thickness for cultivation) requires planning permission from the TPB.

Previous and Similar Planning Applications

- 3.4 A minor portion of the Site is the subject of one previous planning application (No. A/YL-KTN/453) for temporary open storage and warehouse (miscellaneous) for a period of three years, which was rejected by the Rural and New Town Planning Committee of the TPB in 2014. As this planning application does not involve open storage use, planning considerations of the previous application is are considered irrelevant.
- 3.5 There are several planning applications for similar warehouse along Mei Fung Road which is also zoned as ‘AGR’ zone being approved by the TPB in 2024 and

2025. Approval of the current application is in line with the TPB’s previous decisions and would not set an undesirable precedent within the “AGR” zone. These planning applications are summarised in **Table 2** below.

Table 2 – Similar Applications within the same “AGR” zone approved by the TPB between 2024 and 2025 along Mei Fung Road

Application No.	Applied Use	Approval Date
A/YL-KTN/1005	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of Three Years and Associated Filling of Land	4.10.2024
A/YL-KTN/1027	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of 3 Years and Associated Filling of Land	6.12.2024
A/YL-KTN/1031	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of Three Years and Associated Filling of Land	22.11.2024
A/YL-KTN/1033	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of Three Years and Associated Filling of Land	22.11.2024
A/YL-KTN/1052	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of Three Years and Associated Filling of Land	8.11.2024
A/YL-KTN/1078	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of 3 Years and Associated Filling of Land	2.5.2025
A/YL-KTN/1129	Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years	21.11.2025
A/YL-KTN/1144	Proposed Temporary Warehouse	5.9.2025

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Planning Statement

Application No.	Applied Use	Approval Date
	(Excluding Dangerous Goods Godown) and Associated Filling of Land for a Period of Three Years	
A/YL-KTN/1183	Temporary Open Storage and Warehouse of Construction Materials and Machineries and Container Storage Yard and Associated Filling of Land for a Period of Three Years	19.12.2025

Land Status

3.6 The land status plan is shown on **Plan 3**. The Site occupies Lots 777 (Part), 922 (Part), 923 RP and 924 RP in D.D. 107, which are old schedule agricultural lots under Block Government Lease that restrict erection of structures without prior approval of the Government. It is important to note that part of Lot 922 in D.D. 107 is excluded from the application site boundary as the southwestern part of the boundary is drawn according to physical features (i.e. existing fencing) of the Site. The Site also falls on 60m² of GL. Upon planning permission granted from the TPB, the applicant will apply to the Lands Department for Short Term Waiver and Short-Term Tenancy to allow for erection of temporary structure and occupation of GL.

4 Development Proposal

4.1 The Site occupied an area of about 1,668m², including about 60m² of GL (**Plan 3**). As stated on the layout plan (**Plan 1**), five single-storey structures with height of not more than 8m and a total floor area of about 518m² will be erected at the Site for warehouse (excluding dangerous goods godown), ancillary site office, ancillary storage room and electric meter room uses. The ancillary site office is to provide workspace for staff to support the operation of the proposed development, while the ancillary storage room is for storage of equipment. The remaining uncovered area is for compensatory tree planting, circulation of vehicles, parking and loading/unloading (L/UL) of goods. The operation hours of the Site are from 9:00 to 19:00 from Mondays to Saturdays, with no operation on Sundays and public holidays. It is estimated that the Site would be able to accommodate 5 staff. As the Site is proposed for 'warehouse' use which does not involve provision of direct customer services, no visitor is anticipated. Details of the development parameters and the proposed structures are shown at **Table 3** and **Table 4** below:

Table 3 – Main Development Parameters

Application Site Area	About 1,668m ² , including about 60m ² of GL
Covered Area	About 518m ²
Uncovered Area	About 1,150m ²
Plot Ratio	About 0.31
Site Coverage	About 31%
Number of Structure(s)	5
Total Gross Floor Area	About 518m ² (non-domestic)
Building Height	Not more than 8 m
Number of Storey	Not more than 1 storey
Internal Transport Facilities	
- Parking Space	2 for private car (PC)
- L/UL Space	2 for light goods vehicle (LGV)

Table 4 – Details of the Proposed Structures

Structure	Uses	Covered Area (m²) (about)	GFA (m²) (about)	Building Height (Not more than)
B1	Warehouse	225	225	8m (1 storey)
B2	Warehouse	226	226	8m (1 storey)
B3	Storage	27	27	4m (1 storey)
B4	Office	36	36	4m (1 storey)
B5	Electric Meter Room	4	4	4m (1 storey)
Total		518	518	-

- 4.2 Since a portion of the Site has been hard-paved with concrete, the applicant applies to regularise the existing filling of land (about 849m²/ 51% of the Site). In overall, to serve the site formation and vehicular circulation purposes, major part of the Site (i.e. about 1,625m²/ 97%) is proposed to be filled with soil and concrete to a depth not exceeding 0.5m.
- 4.3 According to the tree survey report (**Appendix E**), a total of 6 trees were recorded within the Site. There is no Old and Valuable Trees or protected species identified. For site formation and business operation purposes, four trees are proposed to be felled, and two trees are proposed to be retained (**Appendix F**). Four *Polyspora axillaris* are proposed to be re-planted to achieve a 1:1 compensatory ratio. About 43m² would be unpaved area for the new and retained trees.
- 4.4 The applicant will follow the proposed scheme strictly, and no further filling of land will be carried out during the planning approval period. The applicant will also reinstate the Site to an amenity area after the planning approval period. Details of the filled area and corresponding site levels are illustrated on **Plan 4**.
- 4.5 The proposed warehouses are intended for storage of construction materials (e.g. tiles, pipes etc.). No storage of dangerous goods, open storage, dismantling, maintenance, recycling, cleaning, paint spraying or other workshop activities will be stored/conducted at any time during the planning approval period. Periphery solid metal wall of 2.5m high will be erected along the site boundary to minimise

nuisance to the surrounding area.

Traffic and Access Arrangements

4.6 The Site is accessible from Mei Fung Road (**Plan 2**). A 10m wide ingress/ egress is proposed at the southern part of the Site. A total of 2 parking spaces for private car (PC) and 2 L/UL spaces for light goods vehicle (LGV) are proposed for the Site. Only PCs and LGVs are allowed to enter/exit the Site, whilst other vehicles are not allowed to be parked/stored or entre/exit the Site at all time. Sufficient manoeuvring space will be provided within the Site to facilitate vehicle turning as shown in the swept path analysis on **Plan 5**. Therefore, no queueing of vehicles onto the public road is anticipated.

4.7 As mentioned in **paragraph 4.1**, only 5 staff will work on-site and there is no provision of direct customer service that attracts visitors. The staff is expected to commute to the Site by PCs. For the construction materials, the goods will be transported by LGV to the Site. In view of the above, the traffic generation and attraction by the development is expected to be negligible. **Table 5** below provides details of the estimated traffic generation and attraction:

Table 5 – Estimated Traffic Generation and Attraction

Time Period	PC		LGV		2-way total
	In	Out	In	Out	
Trips at morning peak (9:00 to 10:00 a.m.)	2	0	0	0	2
Trips at afternoon peak (5:00 to 7:00 p.m.)	0	2	0	0	2
Average Traffic trip per hour (10:00 a.m. to 5:00 p.m.)	2	2	2	2	8

Environmental, Drainage and Fire Safety Considerations

- 4.8 The applicant will strictly follow the "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" (CoP) promulgated by the Environmental Protection Department (EPD) to minimise adverse environmental impacts and nuisance to the surrounding area. Other environmental protection/pollution control ordinances, such as Water Pollution Control Ordinance, Air Pollution Control Ordinance, Noise Control Ordinance, etc. will also be complied with at all times during the planning approval period. The applicant will also follow the Professional Persons Environmental Consultative Committee Practice Notes (ProPECCPNs) for sewage treatment within the Site.
- 4.9 Regarding other potential impacts from drainage and landscape perspective, adequate mitigation measures would be provided, which are shown in the drainage proposal (**Appendix D**) and tree survey (**Appendix E**) in order to mitigate any adverse impacts arising from the proposed development. Moreover, fire service installations (FSIs) will be provided as per relevant Government departments' latest requirement. Hence, it is anticipated that no adverse impact will be generated with relevant mitigation measures implemented.

5 Planning Justifications

To facilitate the relocation of the original business operation affected by the land resumption exercise of the HSK/HT NDA Second Phase Development

- 5.1 As stated in Section 2, the applicant's original site is affected by the land resumption exercise of the development of HSK/HT NDA Second Phase Development. The applicant has spent tremendous effort in identifying suitable sites for relocation, and has identified the Site as the most suitable for relocation.
- 5.2 Comparing with the original site, the site has a similar site area with a slightly reduction of 48m² (i.e. about -2.8%). The proposed development involves warehouses for storage of construction materials, which is the same as the affected business operation in Ha Tsuen. Therefore, this planning application for brownfield relocation is considered not out of scale.

Applicant's Effort in Identifying Suitable Relocation Site

- 5.3 Despite the applicant has spent tremendous effort to search for appropriate site to relocate his affected business, these sites were considered impracticable due to following reasons:
- 5.3.1 Alternative Site 1 — Various lots in D.D. 105, Mai Po Lo Wai, Mai Po :
Surrounded by the fishponds, grassland and village houses, alternative site 1 is currently covered by vegetation and abandoned fish pond. Large-scale tree felling would be expected for the proposed development. It falls within the Wetland Buffer Area (WBA) and in proximity to the boundary of the Wetland Conservation Area demarcated under the TPB Guideline No. 12C (TPB PG-No. 12C). According to the TPB PG-No. 12C, the development proposal within WBA need to consider the ecological impact e.g. whether the proposed development would result in any negative disturbance impact on birds, and demonstrate that the development will not cause net increase in pollution load to Deep Bay. No similar planning application has been approved in the same "V" zone. Given the site context and the above planning requirements which are more restricted than

the sites outside the WBA and WCA, alternative sites would be further searched and considered.

5.3.2 Alternative Site 2 — Various lots in D.D. 82 and Adjoining Government Land, Ta Kwu Ling : The Site is situated in an area of rural landscape character and surrounded predominately by grassland and vacant land. It is noted that the long-term planning of the area is currently under investigation by the "Planning and Engineering Study for New Territories North New Town and Man Kam To – Investigation" and subject to further study under the Northern Metropolis Development Strategy (NMDS). While the latest land use proposal has yet to be finalised under the study, the proposed use appears not in line with the NMDS. Hence, another round of relocation exercise would be expected should there be land resumption to be recommended under the latest land use proposal.

5.3.3 Alternative Site 3 — Various lots in D.D. 39, Sha Tau Kok Road, Tai Long, Luk Keng : The site abuts Sha Tau Kok Road and in proximity to Pak Sin Leng Country Park. The surrounding area is in rural landscape character dominated by village houses, active/fallow agricultural land and a large tract of dense and undisturbed woodland with high scenic value. The site area of 1,000m² is considered not adequate to accommodate the affected business operation at the original site. The site is not involved in any previous application for similar use, and no similar application has been approved in the same "AGR" zone. Hence, given the unique natural landscape and proximity to the country park, the proposed development is considered not compatible with the surrounding environment and land uses.

5.3.4 Alternative Site 4 — Various Lots in D.D. 79, Wo Kang Shan Village, Ta Kwu Ling : The site is in an area of rural landscape character dominated by village houses, active/fallow agricultural land and grassland, nearby by the land zoned "Green Belt" which are a large tract of dense and undisturbed woodland. Hence, the proposed use is considered not compatible with the surrounding environment/ land uses.

5.4 A comparison of the alternative sites and the current application site is at **Appendix C** and **Plan 6** for reference.

Minimise the impact on related economic activities arising from the implementation of the HSK/HT NDA Second Phase Development and ensure that there will not be gap in the logistics supply chain

- 5.5 The affected business is used for warehouse for the storage of construction materials, playing a vital role in supporting Hong Kong's construction industry and has made positive contribution to the local economy and job market. Relocating the original business operations to the Site enables the brownfield operator to continue the existing operation, which could reduce the impact on the construction industry and avoid disruption of the logistics supply chain.

The proposed development is temporary in nature and would not jeopardising the long-term planning intention of the "AGR" zone

- 5.6 Although the proposed development is not in line with the planning intention of the "AGR" zone, it is temporary in nature that would not jeopardise the long-term planning intention of the "AGR" zone and could better utilise the vacant agricultural land. Upon the expiry of the planning approval, the applicant is also committed to reinstate the Site to an amenity area.

Land use compatibility and no undesirable precedent

- 5.7 The surroundings of the Sites have already been occupied by brownfield uses such as open storage/storage yards and warehouse uses. The proposed development is considered not incompatible with the surrounding areas.
- 5.8 As listed in Table 2, there are several planning applications for similar warehouse along Mei Fung Road which is also zoned as 'AGR' zone being approved by the TPB in 2024 and 2025. Approval of the current application is in line with the TPB's previous decisions and would not set an undesirable precedent for similar use in the area.

No adverse impacts to the surrounding areas

Traffic

5.9 The Site is accessible from Mei Fung Road. 2 L/UL spaces for LGV are proposed for the delivery of construction materials. Moreover, as there is no provision of customer service, the proposal development will not attract visitors. Thus, only 2 PC parking spaces are proposed for the staff. Sufficient manoeuvring space will be provided within the Site to allow turning of vehicles as shown on **Plan 5**. As a result, no vehicle queueing onto the public road is expected. The estimated traffic generation illustrates that the adverse impact on the traffic conditions brought by the additional traffic is minimal.

Environmental

5.10 The proposed development would not involve any storage of dangerous goods, open storage, dismantling, maintenance, recycling, cleaning, paint spraying or other workshop activities that generate noise, emission of dust and effluent. The operation hours of the proposed development are limited to 9:00 to 19:00 from Mondays to Saturdays and periphery solid metal wall of 2.5m high will be erected along the site boundary to minimise nuisance to nearby users and/or residential dwellings. The applicant will strictly comply with all relevant environmental protection/pollution control ordinances, as well as the relevant mitigation measures and requirements stipulated in the latest CoP issued by the EPD.

Drainage and Fire

5.11 Adequate drainage facilities will be provided in accordance with the submitted drainage proposal (**Appendix D**) to minimise flood risk. Hence, no adverse drainage impact is anticipated. Moreover, FSIs proposal and adequate fire service installations in line with latest technical requirements will be provided to ensure fire safety upon requested by concerned Government Departments.

Tree and Landscape

5.12 According to the development proposal and the findings of the tree survey report (**Appendix E**), four trees are proposed to be felled, and two trees are proposed to be retained. For compensatory purpose, four trees are proposed to be planted, at a 1:1 ratio, and hence adverse tree and landscape impacts would be minimised.

6 Conclusion

- 6.1 The applicant seeks planning permission from the TPB for Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years at Lots 777 (Part), 922 (Part), 923 RP and 924 RP in D.D. 107 and Adjoining GL, Kam Tin, Yuen Long, New Territories.
- 6.2 As detailed in this planning statement, the proposed use is well-justified on the grounds that the proposed development aims to facilitate the relocation of the brownfield operation for the implementation of the HSK/HT NDA Second Phase Development, which is an important engine for the future development of the Northern Metropolis. The proposed development is temporary in nature and would not jeopardise the long-term planning intention of the “AGR” zone, and is considered compatible with the surrounding land uses. Adequate mitigation measures will be provided by the applicant upon planning approval granted by the TPB to alleviate any adverse impact arising from the proposed development.
- 6.3 In light of the planning justifications furnished in this planning statement supported by the various technical assessments and the applicant’s strong commitment to strictly comply with all control ordinances. The applicant respectfully requests favourable considerations on this s.16 planning application by the TPB.

Maxtop Sky Limited

January 2026

List of Plans

Plan 1	Layout Plan
Plan 2	Location Plan
Plan 3	Land Status Plan
Plan 4	Land Filling Plan
Plan 5	Swept Path Analysis
Plan 6	Plan Showing Alternative Sites for Relocation

Appendices

Appendix A	Details of Affected Business
Appendix B	Letter from Lands Department and Land Resumption Notice
Appendix C	Details of Alternative Sites for Relocation
Appendix D	Drainage Proposal
Appendix E	Tree Survey
Appendix F	Landscape Proposal