

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/538

- Applicant** : 思信停車場有限公司 Season Parking Company Limited
- Site** : Various Lots in D.D. 125 and D.D. 129 and Adjoining Government Land (GL), Ha Tsuen, Yuen Long, New Territories
- Site Area** : About 45,720m² (including GL of 3,640m² (or 7.9%))
- Lease** : Block Government Lease (demised for agricultural use) and New Grant No. 635 for Lot 3442 in D.D. 129 (for agricultural use)
- Plan** : Approved Hung Shui Kiu and Ha Tsuen (HSK and HT) Outline Zoning Plan (OZP) No. S/HSK/2
- Zonings** : (i) “Government, Institution or Community” (“G/IC”) (about 65.7%);
[Restricted to a maximum building height of 8 storeys]
- (ii) “Commercial 4” (“C(4)”) (about 8.8%);
[Restricted to maximum plot ratio of 3, maximum building height of 50mPD]
- (iii) “Residential (Group A)3” (“R(A)3”) (8%); and
- (iv) an area shown as ‘Road’ (17.6%)
- Application** : Temporary Logistics Centre, Warehouse, Vehicle Repair Workshop, Open Storage of Containers and Container Vehicle Park with Ancillary Workshop (including Compacting and Unpacking) and Canteen for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary logistics centre, warehouse, vehicle repair workshop, open storage of containers and container vehicle park with ancillary workshop (including compacting and unpacking) and canteen for a period of three years at the application site (the Site) partly zoned “G/IC”, “C(4)” and “R(A)3” and partly shown as ‘Road’ on the OZP (**Plan A-1a**). According to the covering Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently occupied by temporary structures and used for the applied uses without valid planning permission.
- 1.2 The Site is accessible from Ping Ha Road and the ingress/egress point is at the eastern part of the Site (**Drawing A-1 and Plan A-2**). According to the applicant, a two-storey temporary structure (not more than 15m high) and two single-storey temporary

structures (not more than 12m high) with a total floor area of about 25,013.1m² are used for logistics centre while the other 26 temporary structures (not more than two storeys and 8m high) with a total floor area of about 4,636.7m² are used for warehouse, vehicle repair workshop, workshop, canteen, office, guard room, toilets, water tank, pump room and electrical meter room. Two areas with a total area of about 2,414m² will be used for open storage of containers and an area of about 1,006m² will be used for container vehicle park. 20 parking spaces for private cars, a loading/unloading (L/UL) space for light goods vehicles (LGVs) and 18 L/UL spaces for container vehicles will be provided (**Drawing A-1**). The operation hours are from 8:00 a.m. to 8:00 p.m. from Mondays to Saturdays with no operation on Sundays and public holidays. Plans showing the site layout with vehicular access leading to the Site, drainage proposal and fire service installations (FSIs) proposal submitted by the applicant are at **Drawings A-1 to A-3** respectively.

- 1.3 The Site, in part or in whole, was involved in 25 previous applications for various temporary uses including logistics yard/centre, warehouse, cold storage, open storage of containers, construction machinery and construction materials, container vehicle park with ancillary workshop and canteen, which were approved by the Rural and New Town Planning Committee (the Committee) of the Board between 1997 and 2021 (details at paragraph 6 below) (**Plan A-1b**).
- 1.4 Compared with the last application No. A/HSK/312 approved by the Committee on 9.7.2021, the current application is submitted by a different applicant for similar uses with a similar layout and a slightly smaller site area. A comparison of the major development parameters of the current application and the last approved application is summarised as follows:

Major Development Parameters	Approved Application (A/HSK/312) (a)	Current Application (A/HSK/538) (b)	Difference (b) – (a)
Applied Uses	Temporary logistics centre, warehouse, cold storage, open storage of containers and container vehicle park with ancillary workshop (including compacting, unpacking and tyre repairing) and canteen for a period of 3 years	Temporary logistics centre, warehouse, vehicle repair workshop, open storage of containers and container vehicle park with ancillary workshop (including compacting and unpacking) and canteen for a period of 3 years	Addition of vehicle repair workshop use; deletion of cold storage use; and change of the user description for ancillary workshop
Site Area	About 45,900m ²	About 45,720m ²	-180m² (-0.39%)
Total Floor Area	About 21,187.5m ²	About 29,649.8m ²	+8,462.3m² (+39.9%)
No. of Structures	36 (logistics centres, warehouse, cold storage, container repairing workshop, office, vehicle and tyre repairing workshop and other	29 (logistics centres, warehouse, vehicle repairing workshop, office, workshop and other ancillary facilities)	-7 (-19.4%)

	ancillary facilities)		
Building Height	not more than 15m high (1 to 2 storeys)		No change
No. of Private Car Parking Spaces	28	20	-8 (-28.8%)
No. of Loading/ Unloading Spaces	1 for LGVs 33 for heavy good/container vehicles	1 for LGVs 18 for container vehicles	-15 (-44.1%) for container vehicles
Operation Hours	8:00 a.m. to 8:00 p.m., Mondays to Saturdays, with no operation on Sundays and public holidays		No change

1.5 In support of the application, the applicant has submitted the following documents:

- (a) Application Form with attachments received on 14.10.2024 (**Appendix I**)
- (b) Supplementary Information (SI) received on 17.10.2024 (**Appendix Ia**)
- (c) Further Information (FI) received on 5.2.2025 * (**Appendix Ib**)
- (d) FI received on 1.4.2025* (**Appendix Ic**)
**accepted and exempted from publication and recounting requirements*

1.6 On 6.12.2024 and 28.3.2025, the Committee of the Board agreed defer making a decision on the application for two months each as requested by the applicant.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the FI received on 5.2.2025 at **Appendix Ib**. They can be summarised as follows:

- (a) previous applications for similar uses had been approved by the Board at the Site. The drainage facilities and trees and landscaping provided under the previously approved application are still maintained properly on the Site;
- (b) the applied uses are temporary in nature and would not jeopardise the long-term planning intention of the concerned zones. The current application is to allow the continuation of the applied uses during the interim period before the Site is resumed for the Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA) development;
- (c) the applied uses are not incompatible with the surrounding areas. Similar planning applications for open storage and port back-up uses have been approved by the Board in the adjoining areas;
- (d) the applied uses will not cause significant traffic impact. Sufficient maneuvering spaces will be provided within the Site; and
- (e) the applied uses will not generate significant environmental impact to the surrounding areas as adequate mitigation measures will be provided. The applicant pledges to

follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (CoP) to minimise the potential environmental nuisance.

3. Compliance with the “Owner’s Consent/Notification” Requirements

The applicant is not a “current land owner” but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by publishing notices on local newspaper and sending notice to Ha Tsuen Rural Committee by registered post. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the “Owner’s Consent/Notification” requirements are not applicable.

4. Town Planning Board Guidelines

The Town Planning Board Guidelines for ‘Application for Open Storage and Port Back-up Uses’ (TPB PG-No. 13G) promulgated on 14.4.2023 is relevant to the application. The Site falls within the HSK/HT NDA under the revised Guidelines. Relevant extract of the Guidelines is attached at **Appendix II**.

5. Background

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

6. Previous Applications

- 6.1 The Site, in part or in whole, was involved in 25 previous planning applications (No. A/YL-HT/35, 39, 95, 100, 176, 177, 256, 363, 365, 437, 513, 597, 605, 616, 689, 693, 735, 737, 871, 946, 959, 1049 and A/HSK/63, 163 and 312) for various temporary logistics yard/centre, warehouse, cold storage, open storage of containers, construction machinery and construction materials, container vehicle park with ancillary workshop and canteen uses. Details of these applications are summarised at **Appendix III** and their boundaries are shown on **Plan A-1b**.
- 6.2 Application No. A/YL-HT/693 for temporary open storage of metals and construction materials with vehicle repair workshop covering a small part of the Site was rejected by the Committee on 24.9.2010 on the ground that the development would be subject to fire risks and would have adverse drainage, environmental and landscape impacts on the surrounding areas, and that the submitted information could not demonstrate that the fire risks and adverse drainage, environmental and landscape impacts could be mitigated.
- 6.3 The other 24 applications were approved with conditions by the Committee between 1997 and 2021 mainly on similar considerations that the applied uses were not incompatible with the surrounding areas; being generally in line with the relevant TPB PG-No.13; and no major adverse comments from concerned government departments. However, 11 of the planning approvals were subsequently revoked due to non-compliance with approval conditions.
- 6.4 Among the approved applications, the last application No. A/HSK/312 was a combination of the sites involved in two previous applications, namely No.

A/HSK/63 (western and southern portion of the Site) and A/HSK/163 (northeastern portion of the Site) which were approved with conditions by the Committee on 4.5.2018 and 19.7.2019 respectively, but both permissions were revoked on 4.10.2020 and 19.8.2021 respectively due to non-compliance with a time-limited approval condition regarding the implementation of FSIs. Application No. A/HSK/312 for temporary logistics centre, warehouse, cold storage, open storage of containers and container vehicle park with ancillary workshop and canteen was approved by the Committee on 9.7.2021 based on the same considerations as mentioned in paragraph 6.3 above. The permission was revoked on 9.12.2023 due to non-compliance with the time limited approval condition regarding the implementation of FSIs proposal. Compared with the last application, the current application is submitted by a different applicant for similar uses with a similar layout and a slightly smaller site area, as stated in paragraph 1.4 above.

7. Similar Applications

There are 28 similar applications involving logistics centre, warehouse, vehicle repair workshop, open storage of containers and/or container vehicle park use within/straddling the same “G/IC”, “C(4)” and “R(A)3” zones and area shown as ‘Road’ in the past five years. All of them were approved with conditions by the Committee between 2020 and 2025 based on similar considerations as mentioned in paragraph 6.3 above. Details of these applications are summarised at **Appendix III** and their locations are shown on **Plan A-1a**.

8. The Site and Its Surrounding Areas (Plans A-1a to A-4d)

8.1 The Site is:

- (a) accessible from Ping Ha Road; and
- (b) currently occupied by temporary structures and used for the applied uses without valid planning permission.

8.2 The surrounding areas are predominantly occupied by open storage yards, logistics centre and warehouses intermixed with some residential dwellings, parking of vehicles and unused land. Some of these uses are covered by valid planning permissions, whilst some are suspected unauthorized developments subject to planning enforcement action.

8.3 The Site encloses two residential dwellings near its central portion and a designated pedestrian access will be provided to these dwellings according to the proposed layout plan (**Drawing A-1**). The pedestrian access and the residential dwellings do not form part of the Site.

9. Planning Intentions

9.1 The planning intention of the “G/IC” zone is primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory.

9.2 The planning intention of the “C(4)” zone is primarily for commercial developments, which may include uses such as office, shop, services, place of entertainment, eating

place and hotel, functioning as territorial business/financial centre and regional or district commercial/shopping centre.

9.3 The planning intention of the “R(A)” zone is primarily for high-density residential developments.

9.4 The concerned area shown as ‘Road’ is reserved for the proposed Road D1.

10. Comments from Relevant Government Departments

10.1 Apart from the government department as set out in paragraph 10.2 below, other departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses are provided in **Appendices IV** and **V** respectively.

10.2 The following government department does not support the application:

Environment

10.2.1 Comments of the Director of Environmental Protection (DEP):

- (a) he does not support the application because there are residential uses in vicinity of the Site (two residential dwellings being enclosed by the Site) (**Plan A-2**) and the applied uses involve the use of container vehicles, hence environmental nuisance is expected;
- (b) no substantiated environmental complaints pertaining to the Site was received in the past three years; and
- (c) should the application be approved, the applicant should note his advisory comments at **Appendix V**.

11. Public Comment Received During Statutory Publication Period

On 22.10.2024, the application was published for public inspection. During the statutory public inspection period, a public comment from an individual was received (**Appendix VI**) expressing views that the approval condition regarding implementation of FSIs proposal under the previous applications had not yet been complied with which might pose fire hazard to the community.

12. Planning Considerations and Assessments

12.1 The application is for temporary logistics centre, warehouse, vehicle repair workshop, open storage of containers and container vehicle park with ancillary workshop (including compacting and unpacking) and canteen for a period of three years at the Site partly zoned “G/IC”, “C(4)” and “R(A)3” and partly shown as ‘Road’ on the OZP. Whilst the applied uses are not in line with the planning intentions of the “G/IC”, “C(4)” and “R(A)3” zones, there is no known development proposal at the Site. The Project Manager (West) of Civil Engineering and Development Department advises that the Site falls within the study area of Lau Fau Shan Development in which the implementation programme and land resumption/clearance programme are currently being reviewed under the relevant

investigation study and subject to change. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the Site. Nonetheless, should the application be approved, the applicant should be reminded that the Site may be resumed by the Government at any time during the planning approval period for potential development project and advised not to carry out any substantial works therein.

- 12.2 The applied uses are considered not incompatible with the surrounding areas which are predominantly occupied by open storage yards, logistics centre and warehouses intermixed with some residential dwellings, parking of vehicles and unused land, with some of these uses covered by valid planning permissions (**Plan A-2**).
- 12.3 The applied uses are generally in line with TPB PG-No. 13G in that the Site falls within the HSK/HT NDA and 24 previous planning applications had been approved by the Committee between 1997 and 2021 involving various temporary uses including logistics yard/centre, warehouse, cold storage, open storage of containers, construction machinery and construction materials, container vehicle park with ancillary workshop and canteen. While the planning permission under the last application No. A/HSK/312 was revoked due to non-compliance with the time-limited approval condition regarding the implementation of FSIs proposal, the applicant has submitted the FSIs proposal (**Drawing A-3**) for the current application. The Director of Fire Services (D of FS) has no objection to the application and the FSIs proposal has been accepted by D of FS. In this regard, sympathetic consideration may be given to the application. Should the application be approved, the applicant will be advised that should he fail to comply with any of the approval conditions resulting in revocation of planning permission, sympathetic consideration may not be given to any further applications.
- 12.4 Other relevant government departments consulted including the Commissioner for Transport and Chief Engineer/Mainland North of Drainage Services Department have no objection to or no adverse comment on the application from the traffic and drainage points of view respectively. While DEP does not support the application as the applied uses involve the use of heavy vehicles and environmental nuisance to the sensitive users in the vicinity of the Site (**Plan-A-2**) is expected, there is no substantiated environmental complaint pertaining to the Site received in the past three years. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 13.2 below. Should the application be approved, the applicant will also be advised to follow the latest CoP to minimise the potential environmental nuisance on the surrounding areas.
- 12.5 While there was one previous application (No. A/YL-HT/693) for temporary open storage of metals and construction materials with vehicle repair workshop covering a small part of the Site rejected by the Committee as summarized in paragraph 6.2, 24 previous approvals for various temporary logistics yard/centre, warehouse, cold storage, open storage of containers, construction machinery and construction materials, container vehicle park with ancillary workshop and canteen uses at the Site were granted from 1997 to 2021 and 28 similar applications had been approved by the Committee between 2020 and 2025. Approval of the current application is generally in line with the previous decisions of the Committee.
- 12.6 Regarding the public comment as summarised in paragraph 11 above, the planning considerations and assessments above are relevant.

13. Planning Department's Views

- 13.1 Based on the assessments made in paragraph 12 above and having taken into account the public comment mentioned in paragraph 11, the Planning Department has no objection to the application.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of three years until **23.5.2028**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (b) the submission of a condition record of the existing drainage facilities on the site within **3** months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **23.8.2025**;
- (c) the implementation of the accepted fire service installations proposal within **9** months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **23.2.2026**;
- (d) if the above planning condition (a) 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; and
- (e) if any of the above planning condition (b) or (c) 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.

Advisory clauses

The recommended advisory clauses are attached at **Appendix V**.

- 13.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the applied uses are not in line with the planning intentions of the "G/IC", "C(4)" and "R(A)" zones which are primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory; for commercial developments, which may include uses such as office, shop, services, place of entertainment, eating place and hotel, functioning as territorial business/financial centre and regional or district commercial/shopping centre; and for high-density residential developments respectively. There is no strong justification in the submission for a departure from the planning intentions, even on a temporary basis.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.

- 14.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.
- 14.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

15. Attachments

Appendix I	Application Form with Attachments received on 14.10.2024
Appendix Ia	SI received on 17.10.2024
Appendix Ib	FI received on 5.2.2025
Appendix Ic	FI received on 1.4.2025
Appendix II	Relevant Extract of TPB PG-No. 13G
Appendix III	Previous and Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comment
Drawing A-1	Proposed Layout Plan with Vehicular Access
Drawing A-2	As-built Drainage Plan
Drawing A-3	FSIs Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4d	Site Photos

**PLANNING DEPARTMENT
MAY 2025**