

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/564

- Applicant** : Pronto Star Limited represented by R-riches Property Consultants Limited
- Site** : Lots 462 RP (Part), 768 RP (Part), 770 (Part), 796 (Part), 797 (Part), 798 (Part), 799 RP (Part), 803 (Part) and 804 (Part) in D.D. 124 and Adjoining Government Land (GL), Hung Shui Kiu, Yuen Long, New Territories
- Site Area** : About 5,362m² (including GL of about 153m² or 2.9%)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Hung Shui Kiu and Ha Tsuen (HSK and HT) Outline Zoning Plan (OZP) No. S/HSK/2
- Zoning** : “Government, Institution or Community” (“G/IC”)
[Restricted to a maximum building height of 80mPD]
- Application** : Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary warehouse (excluding dangerous goods godown) with ancillary facilities for a period of three years at the application site (the Site) zoned “G/IC” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years within the zone requires planning permission from the Town Planning Board (the Board). The Site is currently occupied by temporary structures and used for the applied use and open storage of construction machinery without valid planning permission (**Plans A-2 to A-4b**).
- 1.2 The Site is accessible from Hung Chi Road via a local track and the two ingress/egress points are located at the northeastern and southeastern parts of the Site (**Drawing A-1 and Plan A-2**). According to the applicant, two two-storey structures (about 7m high) with a total floor area of 2,450m² are used for warehouses (excluding dangerous goods godown), water tank and site offices while seven one-storey temporary structures (about 3m high) with a total floor area of 62m² are used for washroom, fire service pump room, meter room and site office. Five parking spaces for private cars (5m x 2.5m each), two loading/unloading (L/UL) spaces for light goods vehicles (LGVs)(7m x 3.5m each), two L/UL spaces for heavy goods vehicles (HGVs)(11m x 3.5m each) and two L/UL spaces for containers (16m x 3.5m each) will be provided (**Drawing A-2**). No dangerous goods and workshop activities, including car washing, dismantling and painting will be stored or conducted at the

Site. The operation hours are from 9:00 a.m. to 7:00 p.m. from Mondays to Saturdays with no operation on Sundays and public holidays. Plans showing the access leading to the Site, site layout, fire service installations (FSIs) and as-built drainage facilities submitted by the applicant are at **Drawings A-1 to A-4** respectively.

- 1.3 In support of the application, the applicant has submitted an Application Form with attachments received on 30.4.2025 (**Appendix I**).

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form with attachments at **Appendix I**. They can be summarised as follows:

- (a) the application alleviates the pressing demand for warehouse and logistics use in Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA) which are affected and needed to be relocated to new locations in order to continue their operation in recent years;
- (b) the Site falls within the Remaining Phase (RP) Development of HSK/HT NDA while there is no implementation programme at the moment. As the applied use is temporary in nature, it would not jeopardise the long-term planning intention of the “G/IC” zone;
- (c) the Site is subject to a previous planning approval (application No. A/HSK/436) for logistics centre use. All approval conditions were complied with except the implementation of the accepted fire service installations (FSIs) proposal, in which the applicant did not have sufficient time to complete; and
- (d) the applied use will not cause significant adverse traffic, environmental, fire safety and drainage impacts to the surrounding areas. Adequate mitigation measures are provided, as detailed in the submission of FSIs proposal, previously accepted drainage proposals and photo records of existing drainage facilities.

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 posting site notice and sending notice to Ping Shan Heung Rural Committee by registered post. Detailed information would be deposited at the meeting for Members’ inspection. The “Owner’s Consent/Notification” Requirements are not applicable to the GL portion.

4. Background

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

5. Previous Applications

- 5.1 The Site, in part or in whole, was involved in four previous applications (No. A/YL-PS/6, 36 and 38 and No. A/HSK/436) for metalware workshop, concrete batching

plant, temporary open storage of containers, container trailer park and vehicle repair workshop and temporary logistic centre uses respectively. Details of these applications are summarised at **Appendix II** and their boundaries are shown on **Plan A-1**.

- 5.2 Two applications (No. A/YL-PS/6 and 36) for metalware workshop and concrete batching plant were approved by the Rural and New Town Planning Committee (the Committee) of the Board between 1997 and 1998, while application No. A/YL-PS/38 for temporary open storage of container, container trailer park, container and container trailer/heavy vehicle repair workshop, which covered a small part of the Site, was rejected by the Committee in 1998. The considerations for these applications are not relevant to the current application which is for a different use.
- 5.3 The last application (No. A/HSK/436) for temporary logistics centre use submitted by the same applicant as the current application was approved by the Committee on 21.4.2023 for a period of three years on the considerations that the applied use was not incompatible with the surrounding areas; being generally in line with the then Town Planning Board Guidelines TPB PG-No. 13 and no major adverse comments from concerned government departments. The permission was revoked on 21.1.2025 due to non-compliance with approval condition regarding the implementation of the FSIs proposal.

6. Similar Application

There is no similar application within the same “G/IC” zone on the OZP over the past five years.

7. The Site and Its Surrounding Areas (Plans A-1 to A-4b)

- 7.1 The Site is:
 - (a) accessible from Hung Chi Road via a local track; and
 - (b) currently occupied by warehouse and open storage of construction machinery uses without valid planning permission.
- 7.2 The surrounding areas are predominantly occupied by open storage yards, vehicle repair workshop, parking of vehicles, concrete batching plant and logistic use intermixed with residential dwellings, temporary structures, site offices, unused land and canteen, some of which are suspected unauthorized developments subject to planning enforcement action.

8. Planning Intention

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. Comments from Relevant Government Departments

- 9.1 Apart from the government department as set out in paragraph 9.2 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 III** and **IV** respectively.

9.2 The following government department has reservation on the application:

Land Administration

9.2.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

- (a) the Site comprises GL and 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;
- (b) no permission is given for the occupation of the GL (about 153m² subject to verification) included in the Site. Any occupation of GL without Government's prior approval is an offense under Cap. 28;
- (c) he has reservation on the planning application since there are unauthorized structures on the private Lots 462 RP and 799 RP in D.D. 124 which are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularization of the lease breaches as demanded by LandsD;
- (d) the lot owner(s) should apply to his office for Short Term Waiver(s) (STWs) and Short Term Tenancy(s) (STTs) to permit the structures erected within the said private lots, and the occupation of the GL. The application(s) of STW(s) and STT(s) will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The application(s), if approved, will be subject to such terms and conditions including the payment of waiver fee, rent and administrative fee as considered appropriate by LandsD. Besides, given the applied use is temporary in nature, only erection of temporary structure(s) will be considered; and
- (e) his advisory comments are at **Appendix IV**.

10. Public Comment Received During Statutory Publication Period

On 9.5.2025, the application was published for public inspection. During the statutory public inspection period, a public comment from an individual was received (**Appendix V**) expressing views that there were adverse departmental comments on the previous planning application No. A/HSK/436; the approval condition of the previous application was not complied with; and there were unauthorized structures on the Site subject to enforcement action.

11. Planning Considerations and Assessments

11.1 The application is for temporary warehouse (excluding dangerous goods godown)

with ancillary facilities for a period of three years at the Site zoned “G/IC” on the OZP. Whilst the applied use is not in line with the planning intention of the “G/IC” zone, the Project Manager (West), Civil Engineering and Development Department has no objection to the application and advises that the Site falls within the site under RP Development of HSK/HT NDA which is envisaged to commence site formation and engineering works in 2030 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 the implementation of government project and advised not to carry out any substantial works therein.

- 11.2 The applied use is considered not incompatible with the surrounding areas which are predominantly open storage yards, vehicle repair workshop, parking of vehicles, concrete batching plant and logistic use intermixed with residential dwellings, temporary structures, site offices, unused land and canteen (**Plan A-2**).
- 11.3 Concerned government departments consulted including the Commissioner for Transport, Director of Environmental Protection, Director of Fire Services (D of FS) and Chief Engineer/Mainland North of Drainage Services Department have no objection to or no adverse comment on the application from traffic, environmental, fire safety and drainage perspectives respectively. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 12.2 below. Should the application be approved, the applicant will also be advised to follow the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise the potential environmental nuisance on the surrounding areas. Regarding DLO/YL, LandsD’s comments on unauthorized structures on Lots 462 RP and 799 RP in D.D. 124, the applicant will be advised to liaise with LandsD on the land administrative matters should the Committee approve the application.
- 11.4 The last application (No. A/HSK/436) for temporary logistics centre submitted by the same applicant covering the same area as current application was approved by the Committee in 2023 but the planning permission has been revoked due to non-compliance with the time-limited approval condition regarding implementation of FSI’s proposal. The applicant has submitted a FSI proposal for the current application and D of FS has no objection to the application. In this regard, sympathetic consideration may be given to the application. Should the application be approved, the applicant will be advised that should it 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.
- 11.5 Regarding the public comment as summarised in paragraph 10 above, the planning considerations and assessments above are relevant.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comment mentioned in paragraph 10, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the

permission shall be valid on a temporary basis for a period of three years until 20.6.2028. 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 20.9.2025;
- (c) the submission of a revised fire service installations proposal within **6** months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 20.12.2025;
- (d) in relation to (c) above, the implementation of the revised 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 20.3.2026;
- (e) 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
- (f) if any of the above planning condition (b), (c) or (d) 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 IV**.

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

the applied use is not in line with the planning intention of the "G/IC" zone which 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. There is no strong justification in the submission for a departure from the planning intention, even on a temporary basis.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.

13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

14. Attachments

Appendix I	Application Form with Attachments received on 30.4.2025
Appendix II	Previous Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment
Drawing A-1	Location Plan with Vehicular Access
Drawing A-2	Proposed Layout Plan
Drawing A-3	FSIs Plan
Drawing A-4	As-built Drainage Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
JUNE 2025**