

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/HSK/567**

- Applicant** : Mr Wu Siu Sing represented by Metro Planning & Development Company Limited
- Site** : Lots 43 (Part), 192 S.A ss.1 (Part), 192 S.A RP (Part), 192 S.B ss.1 (Part) and 192 S.B RP (Part) in D.D.128 and Adjoining Government Land (GL), Ha Tsuen, Yuen Long, New Territories
- Site Area** : About 2,620m<sup>2</sup> (including GL of about 1.6m<sup>2</sup> or 0.06%)
- 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
- Zonings** : (i) “Open Space” (“O”) (about 74%); and  
(ii) “Government, Institution or Community” (“G/IC”) (about 26%)  
*[Restricted to a maximum building height of 8 storeys]*
- Application** : Temporary Open Storage of Construction Machinery and Construction Materials for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for temporary open storage of construction machinery and construction materials for a period of three years at the application site (the Site) zoned “O” and “G/IC” on the OZP (**Plan A-1a**). According to the covering Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently used for the applied use without valid planning permission.
- 1.2 The Site is accessible from Kai Pai Ling Road via a local track and the ingress/egress point is at the southern part of the Site (**Drawing A-2 and Plan A-2**). According to the applicant, three parts of the Site with a total area of about 1,550m<sup>2</sup> (about 59%) are used for open storage of construction machinery and construction materials. Two parking spaces for private cars (each of 5m x 2.5m) and one loading/unloading space for medium goods vehicles (11m x 3.5m) are provided (**Drawing A-2**). No structure is proposed at the Site. The operation hours are from 7:00 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 and as-built drainage facilities 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 eight previous applications for various

temporary open storage uses, including seven applications approved by the Rural and New Town Planning Committee (the Committee) of the Board/the Board between 2004 and 2022 (details at paragraph 6 below) (**Plan A-1b**). Compared with the last application No. A/HSK/365 approved by the Committee on 22.4.2022, the current application is submitted by a different applicant for the same applied use at the same site with a similar layout.

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

- (a) Application Form with attachments received on 13.5.2025 (Appendix I)
- (b) Further Information (FI) received on 16.6.2025 (Appendix Ia)

*[accepted and exempted from publication and recounting requirements]*

## **2. Justifications from the Applicant**

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

- (a) previous applications for open storage use had been approved by the Board at the Site since 2004. The current application is similar to the previous application No. A/HSK/365. All approval conditions of the previous application No. A/HSK/365 have been complied with;
- (b) the applied use is 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 use during the interim period before the Site is resumed for the implementation of Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA);
- (c) the development conforms with the relevant Town Planning Board Guidelines for 'Application for Open Storage and Port Back-up Uses' (TPB PG-No. 13G). The applied use is 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; and
- (d) the applied use will have insignificant traffic, drainage and environmental impacts.

## **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 Ha Tsuen Rural Committee by registered post. Detailed information would be deposited at the meeting for Members' inspection. The "Owner's Consent/Notification" Requirements under TPB PG-No. 31B are not applicable to the GL portion.

## **4. Town Planning Board Guidelines**

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 eight previous applications (No. A/YL-HT/197, 339, 486, 667, 846, 1020 and No. A/HSK/151 and 365) for various temporary open storage uses. Seven of these applications were approved with conditions by the Committee/the Board between 2004 and 2022 mainly on the considerations that the applied use was 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. As for the last application No. A/HSK/365, all time-limited approval conditions have been complied with and the planning permission lapsed on 1.6.2025. Details of these applications are summarised at **Appendix III** and their boundaries are shown on **Plan A-1b**.
- 6.2 The earlier application No. A/YL-HT/197 for proposed temporary open storage of used air conditioners with ancillary workshop was rejected by the Committee on 18.5.2001 on the ground that there was insufficient information to demonstrate that the development would not have adverse drainage and environmental impacts on the surrounding areas.

## **7. Similar Applications**

- 7.1 There are three similar applications involving temporary open storage use within/straddling the same “O” and “G/IC” zones in the past five years. All of them were approved with conditions by the Committee between 2021 and 2024 based on similar considerations as mentioned in paragraph 6.1 above. Details of these applications are summarised at **Appendix III** and their locations are shown on **Plan A-1a**.
- 7.2 For Members’ information, application No. A/HSK/566 for renewal of planning approval for temporary open storage of containers for a period of three years involving the same “O” zone will be considered at the same meeting (**Plan A-1a**).

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

8.1 The Site is:

- (a) accessible from Kai Pai Ling Road via a local track; and
- (b) currently used for the applied use without valid planning permission.

8.2 The surrounding areas are predominantly occupied by open storage yards, logistics use, warehouses and truck park intermixed with some vacant land. Some of these uses are covered by valid planning permissions, whilst some are suspected unauthorized developments subject to planning enforcement action.

## **9. Planning Intentions**

- 9.1 The planning intention of the “O” zone is primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.
- 9.2 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.

## **10. Comments from Relevant Government Departments**

All 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.

## **11. Public Comment Received During Statutory Publication Period**

On 20.5.2025, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

## **12. Planning Considerations and Assessments**

- 12.1 The application is for temporary open storage of construction machinery and construction materials for a period of three years at the Site zoned “O” and “G/IC” on the OZP. Whilst the applied use is not in line with the planning intentions of the “O” and “G/IC” 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 of 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 use is considered not incompatible with the surrounding areas which are predominantly occupied by open storage yards, logistics use, warehouses and truck park intermixed with some vacant land, with some of these uses covered by valid planning permissions (**Plan A-2**).
- 12.3 The applied use is generally in line with TPB PG-No. 13G in that the Site falls within the HSK/HT NDA and seven previous planning applications had been approved by the Committee between 2004 and 2022 for various temporary open storage uses. For the last approved application No. A/HSK/365, all approval conditions have been complied with. The current application is submitted by a different applicant for the same applied use at the same site with a similar layout. In this regard, sympathetic consideration may be given to the application.
- 12.4 Other relevant government departments consulted including the Director of Environmental Protection, Commissioner for Transport, Director of Fire Services

and Chief Engineer/Mainland North of Drainage Services Department have no objection to or no adverse comment on the application from environmental, traffic, fire safety and drainage perspectives respectively. To address the technical requirements of the concerned departments, relevant approval conditions are recommended in paragraph 13.2 below. Should the application be approved, the applicant will be advised to follow the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise any potential environmental nuisances on the surrounding areas.

- 12.5 The Committee/the Board has approved seven previous applications for various temporary open storage uses at the Site between 2004 and 2022 and three similar applications within/straddling the same “O” and “G/IC” zones in the past five years. Approval of the current application is generally in line with the Committee’s previous decisions.

### **13. Planning Department’s Views**

- 13.1 Based on the assessments made in paragraph 12 above, 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 **4.7.2028**. 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 planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **4.10.2025**;
- (c) the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **15.8.2025**;
- (d) the submission of a 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 **4.1.2026**;
- (e) the implementation of the 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 **4.4.2026**;
- (f) 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
- (g) if any of the above planning condition (b), (c), (d) or (e) 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 use is not in line with the planning intentions of the "O" and "G/IC" zones which are primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public; and 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 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**

<b>Appendix I</b>	Application Form with Attachments received on 13.5.2025
<b>Appendix Ia</b>	FI received on 16.6.2025
<b>Appendix II</b>	Relevant Extract of TPB PG-No. 13G
<b>Appendix III</b>	Previous and Similar Applications
<b>Appendix IV</b>	Government Departments' General Comments
<b>Appendix V</b>	Recommended Advisory Clauses
<b>Appendix VI</b>	'Good Practice for Open Storage Sites' by the Fire Services Department
<b>Drawing A-1</b>	Vehicular Access Plan
<b>Drawing A-2</b>	Proposed Layout Plan
<b>Drawing A-3</b>	As-built Drainage Plan
<b>Plan A-1a</b>	Location Plan with Similar Applications
<b>Plan A-1b</b>	Previous Applications Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4</b>	Site Photos

**PLANNING DEPARTMENT  
JULY 2025**