

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/572

- Applicant** : Alpha Star Enterprises Limited represented by R-riches Property Consultants Limited
- Site** : Various Lots in D.D. 129 and Adjoining Government Land (GL), Lau Fau Shan, Yuen Long, New Territories
- Site Area** : About 18,505m² (including GL of about 605m² or 3.3%)
- 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) “Government, Institution or Community” (“G/IC”) (about 44%);
[restricted to a maximum building height (BH) of 8 storeys]
- (ii) “Residential (Group B) 2” (“R(B)2”) (about 26%);
[restricted to a maximum plot ratio of 2.5 and a maximum BH of 90mPD]
- (iii) “Open Space” (“O”) (about 10%); and
- (iv) area shown as ‘Road’ (about 20%)
- Application** : Temporary Logistics Centre with Ancillary Office and Canteen for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary logistics centre with ancillary office and canteen for a period of three years at the application site (the Site) partly zoned “G/IC”, “R(B)2” and “O” 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 building not exceeding a period of three years at the Site 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 Lau Fau Shan Road via a local track, and the ingress/egress point is at the northeastern part of the Site (**Drawing A-1, Plans A-2**

and A-3). According to the applicant (**Drawing A-2**), a two-storey temporary structure (about 15m high) with a floor area of about 25,834m² is used for logistics centre and storage. Four other temporary structures (one to two storeys, about 3m to 12m high) with a total floor area of about 1,227m² are used for rain shelter, water tank, office, canteen, washroom and guard room. Four loading/unloading (L/UL) spaces for medium goods vehicles (MGVs) (each of 11m x 3.5m), four L/UL spaces for container vehicles (each of 16m x 3.5m) and five parking spaces for private cars (each of 5m x 2.5m) are provided (**Drawing A-2**). No storage of recyclable materials, dismantling, assembling, repairing or other workshop activities will be carried out at the Site. The operation hours are from 7:00 a.m. to 9:00 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 fire service installations (FSIs) submitted by the applicant are at **Drawing A-1 to A-3** respectively.

- 1.3 The Site, in part or in whole, was involved in nine previous applications for various temporary open storage or logistics centre uses, of which four for temporary logistics centre were approved by the Rural and New Town Planning Committee (the Committee) of the Board between 2015 and 2024 (details at paragraph 6 below) (**Plan A-1b**).
- 1.4 Compared with the last application No. A/HSK/510 approved with conditions by the Committee on 21.6.2024, the current application is submitted by the same applicant for the same applied use at the same site with a similar layout. 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/510) (a)	Current Application (A/HSK/572) (b)	Difference (b) – (a)
Applied Use	Temporary Logistics Centre with Ancillary Office and Canteen for a Period of 3 Years		No change
Site Area	About 18,505m ²		No change
Total Floor Area	About 17,759m ²	About 27,061m ²	+9,302m² (+52%)
No. of Structures	8 (logistics centre, site offices, staff canteen, rain shelter and water tank)	5 (logistics centre, storage, rain shelter, water tank, office, canteen, washroom and guard room)	-3
BH	1 to 2 storeys, about 3m to 12m	1 to 2 storeys, about 3m to 15m	Higher maximum BH
No. of L/UL Space	• 3 for M/HGVs • 4 for container vehicles	• 4 for MGVs • 4 for container vehicles	+1 for MGVs
No. of Car Parking Space	/	5 for private cars	+5 for private cars
Operation Hours	from 7:00 a.m. to 9:00 p.m. from 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 17.6.2025 (Appendix I)
- (b) Supplementary Information (SI) received on 19.6.2025 (Appendix Ia)
- (c) Further Information (FI) received on 18.7.2025* (Appendix Ib)
- (d) FI received on 7.8.2025* (Appendix Ic)

**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 application for temporary logistics centre use had been approved by the Board at the Site in 2024. The current application is for the same use at the same site with an increased total floor area, BH, number of L/UL space and car parking space to meet the operational needs. Hence, a fresh s.16 application is required. A drainage impact assessment and a FSIs proposal have been submitted in support of the current application.
- (b) the applied use is temporary in nature and would not jeopardise the long-term planning intention of the concerned zones;
- (c) 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 Committee in the adjoining areas;
- (d) adverse traffic impact to the nearby road network is not anticipated. Sufficient maneuvering spaces will be provided within the Site; and
- (e) the applicant will strictly follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (“CoP”) to minimise the possible 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 in local newspapers and sending notice to Ping Shan 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

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 Hung Shui Kiu/Ha Tsuen New Development Area (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 nine previous applications (No. A/YL-HT/99, 166, 268, 690 and 934 and A/HSK/7, 59, 249 and 510) for temporary open storage or logistics centre uses. Eight of these applications were approved with conditions by the Committee/the Board between 1999 and 2024 while the remaining one was rejected by the Committee in 2020. Details of these applications are summarised at **Appendix III** and their locations are shown on **Plan A-1b**.
- 6.2 Four applications (No. A/YL-HT/934 and A/HSK/7, 59 and 510) for temporary logistics centre were approved by the Committee between 2015 and 2024 mainly on the considerations that the temporary 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. However, three of the planning permissions (No. A/YL-HT/934 and A/HSK/7 and 59) submitted by applicants different from the current application were subsequently revoked due to non-compliance with the time-limited approval conditions. The last application No. A/HSK/510 for temporary logistics centre with ancillary office and canteen submitted by the same applicant as the current application was approved with conditions by the Committee on 21.6.2024 for a period of three years with validity up to 21.6.2027. The time-limited approval conditions on the submission of a drainage impact assessment and a revised FSIs proposal have been complied with.
- 6.3 Application No. A/HSK/249 submitted by an applicant different from the current application for temporary logistics centre was rejected by the Committee on 9.10.2020 for the reason that three previous planning permissions granted for the Site were revoked due to non-compliance with the approval conditions; and approval of the application with repeated non-compliance with approval conditions would set an undesirable precedent for other similar applications and thus nullifying the statutory planning control mechanism.
- 6.4 The other four approved applications (No. A/YL-HT/99, 166, 268 and 690) for various temporary open storage uses were approved by the Committee between 1999 and 2011. The considerations for these applications are not relevant to the current application which is for a different use.

7. Similar Applications

There are 16 similar applications involving logistics centre use within/straddling the subject “R(B)2”, “G/IC” and “O” 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 6.2 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-4c)

8.1 The Site is:

- (a) accessible from Lau Fau Shan 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 centres, warehouse, vehicle repair workshop and storage facility intermixed with unused land and residential dwellings. To its further east across Lau Fau Shan Road is the village cluster of San Hing Tsuen.

9. Planning Intentions

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

9.2 The planning intention of the “R(B)” zone is primarily for medium-density residential developments.

9.3 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 residential as well as the general public.

9.4 The concerned area shown as ‘Road’ is reserved for a local access road.

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) while the applied use does not involve dusty operation, he does not support the application as the applied use would generate traffic of heavy vehicles and there are residential uses in vicinity of the Site (the nearest residential dwelling being about 45m away) (**Plan A-2**); and
- (b) no environmental complaints pertaining to the Site were received in the past three years.

11. Public Comment Received During Statutory Publication Period

On 24.6.2025, the application was published for public inspection. During the statutory public inspection period, a public comment from an individual was received (**Appendix VI**) expressing view on the streamlined arrangement of the previous application despite its revocation history and enforcement action and objecting to the application on the grounds that the approval conditions under the previous application No. A/HSK/510 had not yet been complied with and the increase in total floor area and BH with more traffic generation might cause more impacts on the local residents.

12. Planning Considerations and Assessments

- 12.1 The application is for temporary logistics centre with ancillary office and canteen for a period of three years at the Site partly zoned “G/IC”, “R(B)2” and “O” and partly shown as ‘Road’ on the OZP. Although the applied use is not in line with the planning intentions of the “G/IC”, “R(B)” and “O” 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 and 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 centres, warehouse, vehicle repair workshop and storage facility intermixed with unused land and residential dwellings (**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 four previous planning approvals for temporary logistics centre use had been approved by the Committee between 2015 and 2024. While the previous approved application No. A/HSK/510 which is still valid until 21.6.2027, the applicant has now proposed a change in development scheme with slightly different planning parameters in terms of gross floor area, BH and number of car parking and L/UL spaces to meet the operational needs. In support of the current application, the applicant has submitted a FSIs proposal which is considered acceptable by the Director of Fire Services (D of FS). In this regard, sympathetic consideration may be given to the application.
- 12.4 Other relevant government departments consulted including the Commissioner for Transport and Chief Engineer/Mainland North of Drainage Services Department have 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 use involves the use of heavy vehicles and environmental nuisance to the sensitive users in the vicinity of the Site (**Plan-A-2**) is anticipated, 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 Four previous applications for temporary logistics centre use at the Site and 16 similar applications in the past five years had been approved by the Committee. 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 **15.8.2028**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the submission of a drainage proposal within **6** months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **15.2.2026**;
- (b) in relation to (a) above, the implementation of the drainage proposal within **9** months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **15.5.2026**;
- (c) in relation to (b) above, the implemented drainage facilities within the site shall be maintained at all times during the planning approval period;
- (d) the implementation of the accepted fire service installations proposal within **9** months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **15.5.2026**;
- (e) if the above planning condition (c) is not complied with during the 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 (a), (b) 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 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 “G/IC”, “R(B)” and “O” zones which are primarily for provision of Government, institution or community facilities serving the needs of the local residents and/or wider district, region or territory; for medium-density residential developments and 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 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 received on 17.6.2025
Appendix Ia	SI received on 19.6.2025
Appendix Ib	FI received on 18.7.2025
Appendix Ic	FI received on 7.8.2025
Appendix II	Relevant Extracts 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	Vehicular Access Plan
Drawing A-2	Proposed Layout 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-4c	Site Photos

**PLANNING DEPARTMENT
AUGUST 2025**