

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-FTA/266

- Applicant** : 時富倉務發展有限公司
- Site** : Lots 189 S.A, 189 S.B, 189 S.C and 189 RP in D.D. 52 and Adjoining Government Land (GL), Sheung Shui Wa Shan, New Territories
- Site Area** : About 4,800m² (includes GL of about 340m² or about 7% of the Site)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Fu Tei Au and Sha Ling Outline Zoning Plan (OZP) No. S/NE-FTA/18
- Zonings** : (i) “Other Specified Uses” annotated “Port Back-up Uses” (“OU(PBU)”) (about 95%)
(ii) “Agriculture” (“AGR”) (about 5%)
- Application** : Temporary Logistics Warehouse for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary logistics warehouse for a period of three years at the application site (the Site) (**Plan A-1**). The Site falls largely within an area zoned “OU(PBU)” with a minor portion zoned “AGR” on the OZP¹. According to the Notes of the OZP, ‘Warehouse (excluding dangerous goods godown)’ is a Column 2 use within the “OU(PBU)” zone, which requires planning permission from the Town Planning Board (the Board). The Site is fenced-off, hard-paved and currently occupied by the applied use without valid planning permission (**Plans A-4a** and **4b**).
- 1.2 The Site is abutting a local track to the immediate south leading to Man Kam To Road (**Plans A-1** and **A-2**). According to the applicant, the applied use consists of eight one to two-storey temporary structures with building heights (BH) ranging from 3m to 14m and a total floor area of about 5,379m² for logistics warehouse for electrical appliances, ancillary office, E&M rooms and toilet. No flammable goods will be stored at the Site. Five parking spaces for heavy goods vehicle (HGV) and three parking spaces for container vehicle are proposed within the Site. Two ingresses/egresses with 10m in width are proposed at the southern boundary of the Site. The proposed operation hours are

¹ A minor portion of the Site falls within an area zoned “AGR” (about 240m² or 5% of the Site) on the approved Fu Tei Au and Sha Ling OZP No. S/NE-FTA/18, which can be regarded as minor boundary adjustment in accordance with the covering Notes of the OZP, and is not included in the planning assessment.

between 8:00 a.m. and 8:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. The layout plan submitted by the applicant is shown in **Drawing A-1**.

- 1.3 According to the traffic management measures proposed by the applicant, prior notification will be required for vehicles entering the Site, sufficient manoeuvring space will be provided within the Site and no vehicle will queue back on the local road. A drainage proposal (**Drawing A-2**) with provision of U-channels and catchpits along the site boundaries is submitted by the applicant in support of the application.
- 1.4 The Site is the subject of four previous applications (No. A/NE-FTA/21, 189, 211 and 236) for temporary container trailer park or logistics warehouse use as detailed in paragraph 6 below. The last application (No. A/NE-FTA/236) submitted by a different applicant for the same use was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 26.1.2024. The planning permission was subsequently revoked on 26.7.2025 due to non-compliance with approval conditions. A comparison of the major development parameters of the current application and the last approved application is summarised as follows:

Major Development Parameters	Approved Scheme under Application No. A/NE-FTA/236 (a)	Proposed Scheme under Current Application (b)	Differences (b) – (a)
Site Area	About 4,800m ²	About 4,800m ²	No change
No. of Structures	2	8	+6
Total Floor Area	About 4,776m ²	About 5,379m ²	+603m ² (+12.6%)
BH	3m to 14m, one to two-storey	3m to 14m, one to two-storey	No change
Parking Space for HGV	5	5	No change
Parking Space for Container Vehicle	3	3	No change

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

- (a) Application Form received on 1.9.2025 (**Appendix I**)
- (b) Consolidated Supplementary Planning Statement (SPS) received on 14.10.2025 (**Appendix Ia**)

(SPS received on 1.9.2025, Supplementary Information (SI) received on 8.9.2025 and 10.9.2025 as well as Further Information (FI) received on 25.9.2025* were superseded and are attached at **Appendices Ib** to **Ie** respectively.)

** 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 and consolidated SPS at **Appendices I** and **Ia**, as summarised below:

- (a) the applied use is not incompatible with the surrounding land uses. There are a number of applications for similar uses approved in the “OU(PBU)” zone;
- (b) the applied use is temporary in nature and approval of the application would better utilise land resources and not frustrate the long-term planning intention of the area;
- (c) the Site is the subject of three previous applications (No. A/NE-FTA/189, 211 and 236) for the same use which were approved with conditions by the Committee but subsequently revoked due to non-compliance with approval conditions. The current application is submitted by a different applicant, who is committed to complying with all approval conditions imposed and properly maintaining the drainage system, fire service installations (FSIs), boundary fencing and environmental hygiene conditions;
- (d) no adverse traffic, environmental, drainage and landscape impacts are anticipated. The applicant will strictly follow the requirements in the ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ (COP) to minimise adverse environmental impacts and nuisances to the surrounding areas. There will be no overnight staff accommodation; and
- (e) should the application be approved, the applicant will submit applications for Short Term Tenancy and Short Term Waiver to the Lands Department.

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 a notice to Sheung Shui District Rural Committee. 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 No. 13G for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13G) promulgated on 14.4.2023 is relevant to this application. The Site falls within Category 1 areas under TPB PG-No. 13G. Relevant extracts of the Guidelines are attached at **Appendix II**.

5. Background

The Site is not subject to any active enforcement action.

6. Previous Applications

- 6.1 The Site is the subject of four previous applications (No. A/NE-FTA/21, 189, 211 and 236) submitted by different applicants for temporary container trailer park or logistics warehouse use, which were approved with conditions by the Committee between 1998 and 2024 mainly on the considerations that the proposed/applied use was generally in line with the then TPB PG-No.13E / 13G and the planning intention of the “OU(PBU)” zone;

it was compatible with the surrounding areas; and it would not have significant adverse environmental, traffic and drainage impacts.

- 6.2 The last previous application (No. A/NE-FTA/236) submitted by a different applicant for the same use was approved with conditions by the Committee on 26.1.2024. The planning permission was subsequently revoked on 26.7.2025 due to non-compliance with approval conditions relating to the submission/implementation of drainage and FSIs proposals. Compared with the previous application, the current application mainly involves as-built additional structures with an increased total floor area as detailed in paragraph 1.4 above.
- 6.3 Details of the previous applications are summarised at **Appendix III** and their locations are shown in **Plan A-1**.

7. Similar Applications

- 7.1 There were two similar applications (No. A/NE-FTA/235 and 252) for warehouse use within the same “OU(PBU)” zone in the vicinity of the Site in the past five years (**Plan A-1**). The applications were approved with conditions by the Committee between 2023 and 2025 mainly on the considerations that the proposed use was generally in line with the planning intention of the “OU(PBU)” zone; it was not incompatible with the surrounding areas; it generally complied with TPB PG-No. 13G; and the concerns of the relevant government departments could be addressed through implementation of approval conditions.
- 7.2 Details of the similar applications are summarised at **Appendix IV** and their locations are shown on **Plan A-1**.

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

- 8.1 The Site is:
- (a) fenced-off, hard-paved and currently occupied by the applied use without valid planning permission;
 - (b) accessible via a local track leading to Man Kam To Road; and
 - (c) the southern part of the Site encroaches upon a 15m-wide waterworks reserve.
- 8.2 The surrounding areas are rural in character intermixed with open storage yards, storages, warehouses, temporary structures, domestics structures, active agricultural land, vacant land and tree clusters. To the immediate north of the Site is a wooded area intermixed with storage yards and temporary structures zoned “Green Belt”.

9. Planning Intention

The planning intention of the “OU(PBU)” zone is primarily for accommodating the anticipated increasing cross-boundary freight traffic, especially the parking of container vehicles, including container trailers and tractors, and other port back-up uses.

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 are provided at **Appendices V** and **VI** 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 is unable to lend support to the application from environmental planning perspective as the applied use involves the use of heavy vehicles and domestic structures are located within 100m from the site boundary (**Plan A-2**);
- (b) no environmental complaint pertaining to the Site was received in the past three years; and
- (c) should the application be approved, the applicant is advised to follow the requirements of the latest COP; the Professional Persons Environmental Consultative Committee (ProPECC) Practice Note (PN) 1/23 'Drainage Plans subject to Comment by the Environmental Protection Department – Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap. 123I) Section 40(1), 40(2), 41(1) and 90' to avoid causing nuisance and sewage impact on the surrounding areas.

11. Public Comments Received During Statutory Publication Period

On 5.9.2025, the application was published for public inspection. During the statutory public inspection period, two public comments were received (**Appendix VII**). A comment from an individual objects to the application mainly on the grounds that the Site is the subject of previously revoked applications due to non-compliance with approval conditions. Another comment from a member of North District Council indicates no comment on the application.

12. Planning Considerations and Assessments

12.1 The application is for temporary logistics warehouse for a period of three years at the Site zoned "OU(PBU)" on the OZP (**Plan A-1**). The applied use is considered generally in line with the planning intention of the "OU(PBU)" zone. Taking into account the planning assessments below, there is no objection to the applied use on a temporary basis of three years.

12.2 The Site, situated in an area of rural character intermixed with open storage yards, storages, warehouses, temporary structures, domestic structures, active agricultural land, vacant land and tree clusters, is fenced-off, hard-paved and currently occupied by the applied use without valid planning permission (**Plans A-2 to A-4b**). To the immediate west of the Site are two sites each covered by valid planning permissions (applications No. A/NE-FTA/252 and 261) for warehouse and dangerous goods godown respectively. The applied use is

considered not incompatible with the surrounding land uses. Noting that significant adverse impact on the existing landscape resources within the Site is not anticipated, the Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective.

- 12.3 While DEP is unable to lend support to the application as the applied use involves the use of heavy vehicles and environmental nuisance on the sensitive receivers (i.e. domestic structures) in the vicinity of the Site is expected (**Plan A-2**), no substantiated environmental complaint pertaining to the Site was received in the past three years. Should the application be approved, the applicant will be advised to follow the latest COP and to provide sewerage facilities in accordance with ProPECC PN 1/23 to minimise the possible environmental nuisance on the surrounding areas. Other concerned government departments consulted, including the Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services, have no objection to or no adverse comment on the application. To address the technical requirements of concerned government departments, appropriate approval conditions are recommended in paragraph 13.2 below. Regarding DLO/N, LandsD's concern on the unauthorised structures, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 12.4 The Site falls within Category 1 areas under the TPB PG-No. 13G. The application generally complies with the TPB PG-No. 13G in that no major adverse departmental comments have been received on the application and the concerns of the relevant government departments can be addressed through implementation of approval conditions.
- 12.5 The Site is the subject of four previously approved applications submitted by different applicants for container trailer park or logistics warehouse use and two similar applications for warehouse use in the same "OU(PBU)" zone approved by the Committee between 2023 and 2025 on the considerations as mentioned in paragraphs 6 and 7 above. The planning circumstances of the current application are similar to those of the approved applications. Approval of the current application is in line with the Committee's previous decisions.
- 12.6 Regarding the public comments mentioned in paragraph 11 above, the government departments' comments and the planning assessments above are relevant.

13. Planning Department's Views

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comments in paragraph 11 above, PlanD 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 24.10.2028. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval Conditions

- (a) the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 24.4.2026;

- (b) in relation to (a) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 24.7.2026;
- (c) in relation to (b) above, the implemented drainage facilities should be maintained at all times during the planning approval period;
- (d) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 24.4.2026;
- (e) in relation to (d) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 24.7.2026;
- (f) if the above planning condition (c) 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 (a), (b), (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 at **Appendix VI**.

13.3 There is no strong planning reason to recommend rejection of the application.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant the 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 1.9.2025
Appendix Ia	Consolidated SPS received on 14.10.2025
Appendix Ib	SPS received on 1.9.2025
Appendix Ic	SI received on 8.9.2025
Appendix Id	SI received on 10.9.2025
Appendix Ie	FI received on 25.9.2025
Appendix II	Relevant Extracts of TPB Guidelines No. TPB PG-No. 13G

Appendix III	Previous Applications
Appendix IV	Similar Applications
Appendix V	Government Departments' General Comments
Appendix VI	Recommended Advisory Clauses
Appendix VII	Public Comments
Drawing A-1	Layout Plan
Drawing A-2	Drainage Layout 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
OCTOBER 2025**