

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

APPLICATION NO. A/HSK/593

Applicant : Mr WU Siu Sing represented by Metro Planning & Development Company Limited

Site : Lots 189 S.A (Part) and 189 S.B (Part) in D.D. 128 and Adjoining Government Land (GL), Ha Tsuen, Yuen Long, New Territories

Site Area : About 4,000m² (including GL of about 307m² or 7.7%)

Lease : Block Government Lease (demised for agricultural use)

Plan : Approved Hung Shui Kiu and Ha Tsuen Outline Zoning Plan No. S/HSK/2 (the OZP)

Zoning : “Government, Institution or Community” (“G/IC”)¹
[Restricted to a maximum building height of 8 storeys]

Application : Proposed Temporary Warehouse for Storage of Construction Machinery and Construction Materials for a period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary warehouse for storage of construction machinery and construction materials 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 at the Site requires planning permission from the Town Planning Board (the Board). The Site is hard paved and currently used for open storage without valid planning permission.

- 1.2 The Site is accessible from Kai Pak Ling Road with the ingress/egress point at the northeastern part of the Site (**Drawing A-1 and Plan A-2**). According to the applicant (**Drawing A-2**), three temporary structures are proposed including a single-storey structure (not more than 8.5m in height) with a floor area of not more than 3,300m² for warehouse use and two one-to-two-storey structures (not more than 6.5m in height) with a total floor area of about 70m² for site office, toilet and guard room. Two loading/unloading (L/UL) spaces for medium/heavy goods vehicles (M/HGVs) (each of 11m x 3.5m) are provided (**Drawing A-2**). The operation hours are from

¹ A minor portion of the Site (i.e. about 26m², about 0.7% of the Site) falls within an area zoned “Residential (Group D)” on the Approved Ha Tsuen Fringe Outline Zoning Plan No. S/YL-HTF/12, which could be regarded as minor boundary adjustment in accordance with the Covering Notes of the OZP, and is not included in the planning assessment.

9:00 a.m. to 7:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. No workshop activity will be carried out within the Site. Plans showing the location with site access, site layout and proposed drainage facilities submitted by the applicant are at **Drawings A-1 to A-3** respectively.

- 1.3 In support of the application, the applicant has submitted an Application Form with attachments received on 8.12.2025 (**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 at **Appendix I**. They can be summarised as follows:

- (a) the proposed use is intended to provide storage of construction machinery and construction materials including miniature excavator, electric generator, tiles, sanitary ware and alike within the Site. No container trailer or tractor will enter or park at the Site. The proposed use is temporary in nature and would not jeopardise the planning intention of the concerned zone;
- (b) the proposed use is compatible with the surrounding areas which are mainly occupied by open storage yards. Similar planning applications for temporary warehouse uses, including applications No. A/HSK/527 and 540, have been approved by the Rural and New Town Planning Committee (the Committee) of the Board;
- (c) the traffic generated from the proposed use is minimal;
- (d) drainage facilities including surface U-channel will be provided and insignificant drainage impact is anticipated; and
- (e) no operation will be carried out during sensitive hours and hence the proposed use would have insignificant environmental and noise 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. 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. Background

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

5. Previous Application

There is no previous application within the Site.

6. Similar Application

There is no similar application within the subject “G/IC” zone in the past five years.²

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

7.1 The Site is:

- (a) accessible from Kai Pak Ling Road via a local track;
- (b) currently used for open storage without planning permission; and
- (c) slightly within the Hang Hau Tsuen Site of Archaeological Interest (**Plan A-1**).

7.2 The surrounding areas are predominantly occupied by open storage yards, warehouse, recycled collection centre and vehicle park intermixed with unused land, with some of these uses covered by valid planning permissions.

8. Planning Intention

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. Comments from Relevant Government Bureau/Departments

9.1 Apart from the government department as set out in paragraphs 9.2 below, other bureau/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 II** and **III** respectively.

9.2 The following government department has adverse comment on the application:

Land Administration

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

- (a) he has adverse comment on the application;
- (b) the Site comprises Old Schedule Agricultural Lots (OSALs) and GL. The OSALs are 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;
- (c) the GL within the Site (about 307m² subject to verification) has

² The two planning applications mentioned by the applicant, i.e. applications No. A/HSK/527 (for proposed temporary warehouse) and A/HSK/540 (for proposed temporary logistic centre, warehouse, vehicle repair workshop, open storage of construction materials and containers, container vehicle park with ancillary workshop (including compacting and unpacking)), were approved by the Committee in 2024 and 2025 respectively. It should be noted that they do not fall within the same “G/IC” zone as the current application.

been fenced off/unlawfully occupied with unauthorised structure(s) without any permission. Any occupation of GL without Government's prior approval is an offence under Cap. 28. His office reserves the rights to take necessary land control action against the unlawful occupation of GL without notice; and

- (d) should the planning application be approved, the lot owner(s) should apply to his office for Short Term Waivers (STWs) and Short Term Tenancies (STTs) to permit the structures erected or to be erected within the subject lots and the occupation of GL. The application(s) for STWs and STTs will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The application, if approved, will be subject to such terms and conditions including the payment of waiver fee and administrative fee as considered appropriate by LandsD. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered.

10. Public Comment Received During Statutory Publication Period

On 16.12.2025, the application was published for public inspection. During the statutory public inspection period, a public comment from an individual was received (**Appendix IV**) expressing concerns on the suspected unauthorized use and its possible environmental impacts on the Site.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary warehouse for storage of construction machinery and construction materials for a period of three years at the Site zoned "G/IC" on the OZP. Whilst the proposed use is not in line with the planning intention of the "G/IC" zone, 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 temporary basis of three years would not jeopardise the long-term planning intention of the "G/IC" zone. 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.
- 11.2 The proposed use is considered not incompatible with the surrounding areas which are predominantly occupied by open storage yards, warehouse, recycled collection centre and vehicle park intermixed with unused land (**Plan A-2**), with some of these uses covered by valid planning permissions.
- 11.3 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 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

12.2 below. Should the application be approved, the applicant will be advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise any potential environmental nuisance on the surrounding areas. Regarding DLO/YL, LandsD’s concern on the occupation of GL with unauthorised structure(s) within the Site, the applicant will be advised to liaise with LandsD on these land administrative matters should the Committee approve the application.

- 11.4 Regarding the public comment as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.3 above are relevant. Any unauthorized development within the Site would be subject to enforcement action by the Planning Authority.

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 above, 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 6.2.2029. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) the submission of a revised 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 **6.8.2026**;
- (b) in relation to (a) above, the implementation of the revised 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 **6.11.2026**;
- (c) in relation to (b) above, the implemented drainage facilities shall 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 **6.8.2026**;
- (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 **6.11.2026**;
- (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 attached at **Appendix III**.

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

the proposed use is not in line with the planning intention of the "G/IC" zone, which is primarily for provision of Government, institution or community facilities serving the needs of the local residents and/or wider district, region or territory. There is no strong planning 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 8.12.2025
Appendix II	Government Departments' General Comments
Appendix III	Recommended Advisory Clauses
Appendix IV	Public Comment
Drawing A-1	Location Plan showing site access
Drawing A-2	Proposed Layout Plan
Drawing A-3	Proposed Drainage Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

PLANNING DEPARTMENT
FEBRUARY 2026