

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

APPLICATION NO. A/YL-LFS/591

- Applicant** : Ming Fai Industrial (HK) Company Limited represented by Allgain Land Planning Limited
- Site** : Lots 2062 S.A, 2062 S.B (Part), 2069 S.A (Part), 2071 (Part), 2072 (Part), 2073, 2074, 2075 (Part), 2076 (Part), 2077 (Part), 2080 (Part), 2082 (Part) and 2083 (Part) in D.D. 129 and Adjoining Government Land (GL), Lau Fau Shan, Yuen Long, New Territories
- Site Area** : About 6,900m² (including GL of about 515m² or 7.5%)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (OZP) No. S/YL-LFS/11
- Zoning** : “Recreation” (“REC”)
- Application** : Proposed Temporary Warehouse for Storage of Hardware Accessories for a Period of 3 Years

1. **The Proposal**

- 1.1 The applicant seeks planning permission for proposed temporary warehouse for storage of hardware accessories for a period of three years at the application site (the Site) zoned “REC” 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 requires planning permission from the Town Planning Board (the Board). The Site is currently hard paved, partly used for permitted recreational use (remote control car racing track) and partly used for warehouse use without valid planning permission (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site is accessible from Deep Bay Road via a local track. The ingress/egress is located at the eastern part of the Site (**Plan A-3 and Drawing A-1**). As shown on the layout plan at **Drawing A-1**, four one to two-storey structures (not more than 12m in height) with a total floor area of about 9,492m² will be erected for warehouse, office and toilet uses.
- 1.3 As indicated in the submission, the warehouse will be used for storage of hardware accessories. Three loading/unloading (L/UL) spaces for light goods vehicles (LGVs) will be provided. According to the applicant, the operation hours would be between 8 a.m. and 6 p.m. from Mondays to Saturdays. There would be no operation on Sundays and public holidays. No workshop activities will be carried out at the

Site. The layout plan and vehicular access plan submitted by the applicant are at **Drawings A-1 and A-2** respectively.

- 1.4 The Site, in whole or in part, was involved in 12 previous applications for various uses, including six applications for temporary warehouse uses which were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 2011 and 2023 (details at paragraph 5 below).
- 1.5 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form with attachments received on 22.12.2025 (**Appendix I**)
 - (b) Supplementary Information (SI) received on 25.12.2025 (**Appendix Ia**)

2. Justifications from the Applicant

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

- (a) the proposed use is temporary in nature, and the planning intention of the “REC” zone is unlikely to be fully realised in the near future. The proposed use would not jeopardise the long-term planning intention;
- (b) the proposed use would not involve felling of trees. No adverse landscape impact would be caused to the surroundings;
- (c) the proposed use would only involve three L/UL spaces for LGVs. No adverse traffic impact would be caused to Deep Bay Road; and
- (d) the proposed use would not cause adverse environmental, air quality, drainage and sewerage 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 Ordinance (TPB PG-No. 31B) by posting site notice and sending notification letter to the Ping Shan 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 not subject to any active planning enforcement action.

5. Previous Applications

- 5.1 The Site, in whole or in part, was involved in 12 previous applications (No. A/YL-LFS/14, 26, 38, 85, 223, 261, 295, 361, 370, 441, 469 and 568). Details of these

previous applications are summarised in **Appendix II** and their locations are shown on **Plan A-1**.

Approved Applications

- 5.2 Applications No. A/YL-LFS/14 and 370 for filling of fish pond and temporary shop and services were approved with conditions by the Committee in 1997 and 2020 respectively. The considerations of these two approved applications are not relevant to the current application which is for a different use.
- 5.3 Six previous applications covering different extents of the Site (No. A/YL-LFS/223, 261, 295, 361, 441 and 469) for various temporary warehouse uses were approved with conditions by the Committee between 2011 and 2023 mainly on considerations that temporary approval would not jeopardise the long-term planning intention; the applied/proposed use was not incompatible with the surrounding land uses; concerned government departments generally had no objection to the applications and the technical concerns could be addressed by implementation of approval conditions. The planning permission under application No. A/YL-LFS/469 submitted by a different applicant was subsequently revoked on 23.12.2024 due to non-compliance with time-limited approval conditions regarding the submission and implementation of drainage proposal and fire service installations proposal.
- 5.4 The last previous application No. A/YL-LFS/568 for temporary open storage use covering a minor portion of the Site was approved with conditions by the Committee on 19.9.2025. The planning permission is valid until 19.9.2028. The considerations of this approved application are not relevant to the current application for warehouse use.

Rejected Applications

- 5.5 Applications No. A/YL-LFS/26, 38 and 85 for temporary open storage, public lorry park and workshop were rejected by the Committee between 1998 and 2002. The considerations of these applications are not relevant to the current application which is for a different use.

6. Similar Applications

Within the same “REC” zone, there are 20 similar applications involving temporary warehouse use in the past five years, which were all approved with conditions by the Committee between 2021 and 2025 on considerations similar to those stated in paragraph 5.3 above. Details of these similar applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

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

7.1 The Site is:

- (a) hard paved, erected with structures, and partly used for permitted recreational use (remote control car racing track) and partly for warehouse use without valid planning permission; and

- (b) accessible from Deep Bay Road via a local track.
- 7.2 The surrounding areas are predominated by warehouses and open storage yards, some of which are covered by valid planning permissions. Other uses such as parking of vehicles, residential dwellings, vacant land and woodland are also found in the vicinity of the Site.

8. Planning Intention

The “REC” zone is intended primarily for recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission.

9. Comments from Relevant Government Bureau/Departments

- 9.1 Apart from the government department as set out in paragraph 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 III and IV** 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 GL and Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structure are allowed to be erected without the prior approval of the Government. No permission is given for the occupation of the GL (about 515m² subject to verification) included in the Site. Any occupation of GL without Government’s prior approval is an offence under the Land (Miscellaneous Provisions) Ordinance (Cap. 28);
- (c) LandsD has reservation on the planning application since there are unauthorized structures on Lots 2062 S.A, 2062 S.B, 2069 S.A, 2071, 2072, 2073, 2074 and 2077 in D.D. 129 which are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify and/or apply for regularization the lease breaches as demanded by LandsD; and
- (d) should the planning application be approved, the applicant should note his advisory comments at **Appendix IV**.

10. Public Comment Received During Statutory Publication Period

On 30.12.2025, the application was published for public inspection. During the statutory public inspection period, a public comment from an individual was received (**Appendix V**) raising concern on whether the approval conditions would be complied with by the applicant as the previous application No. A/YL-LFS/469 was revoked due to non-compliance with approval conditions.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary warehouse for storage of hardware accessories for a period of three years within the “REC” zone of the OZP (**Plan A-1**). Although the proposed use is not in line with the planning intention of the “REC” zone, there is no known development proposal at the Site. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term planning intention of the “REC” zone. Notwithstanding the above, the Project Manager (West) of Civil Engineering and Development Department advises that the Site falls within the study area of Lau Fau Shan Development in which the implementation and land resumption/clearance programme is currently being reviewed under the relevant investigation study and subject to change. 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 Site is located in an area predominated by warehouses and open storage yards, some of which are covered by valid planning permission. The proposed use is considered not incompatible with the surrounding land uses.
- 11.3 Concerned government departments consulted, including the Commissioner for Transport, Director of Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department (CE/MN of DSD), Director of Fire Services (D of FS) have no objection to or no adverse comment on the application from traffic, environmental, drainage and fire safety aspects respectively. The technical requirements of CE/MN of DSD and D of FS could be addressed by imposing approval conditions recommended in paragraph 12.2 below. To minimise possible environmental nuisance, the applicant will be advised to follow the latest ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’.
- 11.4 Regarding DLO/YL’s concern on the unauthorised structures erected within the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 11.5 Six previous applications for temporary warehouse uses were approved by the Committee between 2011 and 2023 as detailed at paragraph 5 above (**Plan A-1**). There are also 20 similar applications approved by the Committee in the past five years. Approval of the current application is in line with the previous decisions of the Committee.
- 11.6 Regarding the public comment raising concern on the approval conditions of the

previous application No. A/YL-LFS/469, the current application is submitted by a different applicant and non-compliance with approval condition(s) will result in revocation of the planning permission.

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 **6.2.2029**. 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 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 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 **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 conditions (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 IV**.

- 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 “REC” zone, which is primarily for recreational developments for the use of the general public. 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 planning 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 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 22.12.2025
Appendix Ia	SI received on 25.12.2025
Appendix II	Previous and Similar Applications
Appendix III	Government Departments’ General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment Received During Statutory Publication Period
Drawing A-1	Layout Plan
Drawing A-2	Vehicular Access Plan
Plan A-1	Location Plan with Previous and Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4b	Site Photos

**PLANNING DEPARTMENT
FEBRUARY 2026**