

**Relevant Extracts of Town Planning Board Guidelines on
Application for Open Storage and Port Back-up Uses
(TPB PG-No. 13G)**

1. On 14.4.2023, the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13G) were promulgated, which set out the following criteria for the various categories of area:
 - (a) Category 1 areas: favourable consideration will normally be given to applications within these areas, subject to no major adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions. Technical assessments should be submitted if the proposed uses may cause significant environmental and traffic concerns;
 - (b) Category 2 areas: planning permission could be granted on a temporary basis up to a maximum period of 3 years, subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions. Technical assessments, where appropriate or if required, should be submitted to demonstrate that the proposed uses would not have adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas;
 - (c) Category 3 areas: applications would normally not be favourably considered unless the applications are on sites with previous planning approvals (irrespective of whether the application is submitted by the applicant of previous approval or a different applicant). Sympathetic consideration may be given if genuine efforts have been demonstrated in compliance with approval conditions of the previous planning applications and/or relevant technical assessments/proposals have been included in the fresh applications, if required, to demonstrate that the proposed uses would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas. Planning permission could be granted on a temporary basis up to a maximum period of 3 years, subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions; and
 - (d) Category 4 areas: applications would normally be rejected except under exceptional circumstances. For applications on sites with previous planning approvals (irrespective of whether the application is submitted by the applicant of previous approval or a different applicant), and subject to no adverse departmental comments and local objections, sympathetic consideration may be given if genuine efforts have been demonstrated in compliance with approval conditions of the previous planning applications and/or relevant technical assessments/proposals have been included in the fresh applications, if required, to demonstrate that the proposed uses would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas. The intention is however to encourage the phasing out of such non-conforming uses as early as possible. Planning permission for a maximum period of 3 years may be allowed for an applicant to identify suitable sites for relocation. Application for renewal of approval will be assessed on its individual merits.

2. In assessing applications for open storage and port back-up uses, the other major relevant assessment criteria are also summarised as follows
- (a) port back-up sites and those types of open storage generating adverse noise, air pollution and visual intrusion and frequent heavy vehicle traffic should not be located adjacent to sensitive receivers such as residential dwellings, hospitals, schools and other community facilities;
 - (b) port back-up uses are major generators of traffic, with container trailer/tractor parks generating the highest traffic per unit area. In general, port back-up sites should have good access to the strategic road network, or be accessed by means of purpose built roads;
 - (c) adequate screening of the sites through landscaping and/or fencing should be considered where sites are located adjacent to public roads or are visible from surrounding residential areas;
 - (d) there is a general presumption against conversion of active or good quality agricultural land and fish ponds to other uses on an ad-hoc basis. For flood prone areas or sites which would obstruct natural drainage channels and overland flow, advice should be sought; and
 - (e) for applications involving sites with previous planning approvals, should there be no evidence to demonstrate that the applicants have made any genuine effort to comply with the approval conditions of the previous planning applications, planning permission may be refused, notwithstanding other criteria set out in the Guidelines are complied with.

**Similar S.16 Applications for Temporary Open Storage and/or Warehouse
within “Recreation” Zone in the Vicinity of the Application Site in the Past Five Years**

Approved Applications

	Application No.	Uses/Developments	Date of Consideration
1.	A/NE-TKLN/77 [#]	Proposed Temporary Logistic Centre, Warehouse (Excluding Dangerous Goods Godown) and Container Vehicle Park with Ancillary Facilities for a Period of Three Years	15.3.2024 (Revoked on 15.12.2025)
2.	A/NE-TKLN/85	Proposed Temporary Warehouse (Storage of Building Materials and Metal) for a Period of Three Years	20.9.2024
3.	A/NE-TKLN/86	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of Three Years	20.9.2024
4.	A/NE-TKLN/93	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of Three Years	28.2.2025
5.	A/NE-TKLN/116 [#]	Proposed Temporary Logistics Centre, Warehouse (Excluding Dangerous Goods Godown) and Container Vehicle Park with Ancillary Facilities for a Period of Three Years	6.2.2026

Remarks

[#] : Applications No. A/NE-TKLN/77 and 116 involve the same site.

Rejected Application

Application No.	Uses/Developments	Date of Consideration	Rejection Reasons
A/NE-TKLN/47 [#]	Temporary Open Storage of Construction Equipment and Materials for a Period of Three Years	9.9.2022	R1, R2

Rejection Reasons

- R1 The proposed use was not in line with the planning intention of the “Recreation” zone which was primarily for low-density recreational developments for the use of the general public. It encouraged the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the low-density recreational developments may be permitted subjected to planning permission. There was no strong planning justification in the current submission for a departure from the planning intention, even on a temporary basis.
- R2 The applicants failed to demonstrate that the proposed use would not generate adverse traffic and landscape impacts on the surrounding areas.

Remarks

- [#] : Application No. A/NE-TKLN/47 involves part of the site of applications No. A/NE-TKLN/77 and 116.

Government Departments' General Comments

1. Land Administration

Comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD):

- no comment on the application; and
- his advisory comments are at **Appendix V**.

2. Traffic

Comments of the Commissioner for Transport (C for T):

- no comment on the application from district engineering point of view;
- taking into consideration the ingress/egress near the existing bus stop and the existing traffic conditions, should the application be approved, an approval condition on implementation of traffic management measures, as proposed by the applicant, should be included. Also, the implemented traffic management measures should be maintained during the planning approval period; and
- her advisory comments are at **Appendix V**.

Comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD):

- no comment on the application from highways maintenance point of view and no adverse comment on the removal of tubular railings for construction of the proposed run-in/out;
- should the application be approved, approval conditions on submission of the design of vehicular run-in/out and provision of vehicular run-in/out to the Site should be included; and
- his advisory comments are at **Appendix V**.

3. Drainage

Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

- no objection to the application from public drainage viewpoint;
- the submitted drainage proposal does not provide sufficient information as required in DSD's 'Technical Note to Prepare a Drainage Submission'. Should the application be approved, approval conditions should be included to request the applicant to submit and implement a revised drainage proposal for the Site to ensure that it will not cause adverse drainage impact on the adjacent areas. The drainage facilities should be properly maintained at all times during the planning approval period and rectified if they are found inadequate/ineffective during operation;
- the Site is in an area where public sewerage connection is available; and
- her advisory comments are at **Appendix V**.

4. **Environment**

Comments of the Director of Environmental Protection (DEP):

- no objection to the application from environmental perspective noting that heavy vehicles and dusty operation will not be involved in the proposed uses;
- no environmental complaint against the Site was received over the past three years; and
- his advisory comments are at **Appendix V**.

5. **Fire Safety**

Comments of the Director of Fire Services (D of FS):

- no objection in principle to the proposal subject to fire service installations and water supplies for firefighting being provided to his satisfaction; and
- his advisory comments are at **Appendix V**.

6. **Landscape**

Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

- no adverse comment on the application from landscape planning perspective;
- based on the aerial photo of 2023, the Site is located in an area of rural inland plains landscape character comprising tree clusters, vegetated areas, small houses and Heung Yuen Wai Boundary Control Point to the north. With reference to the site photos taken on 3.11.2025, the Site is fenced-off with two temporary structures. Some common tree species were observed within the Site;
- according to the submitted tree group inspection report, no distinctive landscape resources are observed within the Site. It is noted that nine trees are proposed to be felled, two trees retained, and nine standard trees of *Garcinia subelliptica* Merr. (菲島福木) with 45mm diameter at breast height (DBH) will be planted to compensate for the tree loss. Significant adverse landscape impact arising from the application is not anticipated; and
- her advisory comments are at **Appendix V**.

7. **Building Matters**

Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- no objection to the application;
- there is no record of approval granted by the Building Authority (BA) for the existing structures at the Site;
- it is noted that a single-storey structure, drainage works and associated soil excavation works are proposed on the Site. Before any new building works are to be carried out on the Site, prior approval and consent of BA should be obtained, otherwise they are unauthorised building works under the Buildings Ordinance (BO). An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with BO;
- the Site shall be provided with emergency vehicular access in accordance with Regulation 41D of the Building (Planning) Regulations (B(P)R);

- the Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of B(P)R at building plan submission stage; and
- his advisory comments are at **Appendix V**.

8. Other Departments

The following government departments have no objection to/no comments on the application:

- (a) Director of Agriculture, Fisheries and Conservation (DAFC);
- (b) Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
- (c) Project Manager (North), CEDD (PM(N), CEDD);
- (d) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (e) Commissioner of Police (C of P); and
- (f) District Officer (North), Home Affairs Department (DO(N), HAD).

Recommended Advisory Clauses

- (a) to resolve any land issue relating to the proposed uses with the concerned owner(s) of the application site (the Site);
- (b) to note the comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD) that:
 - (i) the Site comprises Old Schedule Agricultural Lots 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. The proposed ingress/egress of the Site is required to pass through Government land (GL) but no right of access via GL is granted to the Site;
 - (ii) the following covered by the planning application has been detected by his office:
structures within the said private lots covered by the planning application
there are structures on the private lots. The lot owners should advise whether any toleration has been given by competent authority to these structures. His office reserves the rights to take necessary lease enforcement action against the breaches without further notice; and
 - (iii) the lot owners shall apply to his office for a Short Term Waiver (STW) to permit the structure(s) erected/to be erected within the said private lots. The application for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STW, if approved, will be on whole lot basis and subject to such terms and conditions including the payment of back-dated waiver fee from the first date when the structures were erected and administrative fee as considered appropriate to be imposed by LandsD. Besides, given the proposed uses are temporary in nature, only erection of temporary structure(s) will be considered;
- (c) to note the comments of the Commissioner for Transport (C for T) that
 - (i) sufficient manoeuvring space within the Site shall be provided. No vehicle is allowed to queue back to or reserve onto/from public road at any time during the planning approval period; and
 - (ii) the removal of tubular railings shall be subject to the Highways Department (HyD)'s comment and approval;
- (d) to note the comments of the Chief Highway Engineer/New Territories East (CHE/NTE), HyD that:
 - (i) the proposed access arrangement should be commented by TD;
 - (ii) HyD is not/shall not be responsible for the maintenance of any access connecting the Site and Lin Ma Hang Road;
 - (iii) adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains; and
 - (iv) the applicant should take adequate precautionary measures to avoid damaging roads, street furniture, drainage and slopes, etc. maintained by his office. Damage caused to roads, street furniture, drainage and slopes, etc. maintained by his office due to the proposed work shall be repaired to his satisfaction at the applicant's own costs;

- (e) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) the submitted drainage proposal does not provide sufficient information as required in DSD's 'Technical Note to Prepare a Drainage Submission'. The applicant should submit a revised drainage proposal for her review;
 - (ii) the drainage facilities should be rectified if they are found inadequate/ineffective during operation;
 - (iii) the applicant should construct and properly maintain the proposed drainage facilities whether within or outside the Site at his own expense; and
 - (iv) the Site is in an area where public sewerage connection is available. The Environmental Protection Department (EPD) should be consulted regarding the sewage impact assessment and sewage treatment/disposal facilities for the proposed uses;
- (f) to note the comments of the Director of Fire Services (D of FS) that:
 - (i) in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. The applicant should submit relevant layout plans incorporated with the proposed FSIs to his Department for approval. In addition, the applicant should be advised as follows:
 - the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; and
 - the location of the proposed FSIs to be installed should be clearly marked on the layout plans; and
 - (ii) the applicant is reminded that if the proposed structures are required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire safety requirements will be formulated upon receipt of the formal submission of general building plans;
- (g) to note the comments of the Director of Environmental Protection (DEP) that the applicant should (i) follow the relevant mitigation measures and requirements in the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' and to meet the statutory requirements under relevant pollution control ordinances, and (ii) follow the requirements of the Professional Persons Environmental Consultative Committee Practice Notes 1/23 'Drainage Plans subject to Comment by the Environmental Protection Department - Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations' to properly handle the sewage produced from the proposed uses;
- (h) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that approval of the application does not imply approval of tree works such as pruning, transplanting and felling. The applicant should seek approval for any proposed tree works from relevant departments prior to commencement of the works;
- (i) to note the comments of the Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD) that:
 - (i) the proposed uses are located within the proposed New Territories North (NTN) New Town under the Planning and Engineering (P&E) Study for NTN New Town and Man Kam To. The preliminary development proposal for NTN New Town was released in December 2024; and
 - (ii) the proposed uses fall within the proposed boundary of the Priority Development Area (PDA) in NTN New Town. Government-initiated works for the PDA may commence in 2028/29 the earliest. Subject to the land use planning in the P&E Study, the proposed uses would need to be vacated for the site formation works. The applicant should take account of the above if the proposed uses are pursued; and

- (j) to note the comments of the Chief Building Surveyor/New Territories West (CBS/NTW), BD that:
- (i) there is no record of approval granted by the Building Authority (BA) for the existing structures at the Site;
 - (ii) it is noted that a single-storey structure, drainage works and associated soil excavation works are proposed on the Site. Before any new building works are to be carried out on the Site, prior approval and consent of BA should be obtained, otherwise they are unauthorised building works (UBW) under BO. An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with BO;
 - (iii) the Site shall be provided with emergency vehicular access in accordance with Regulation 41D of the Building (Planning) Regulations (B(P)R);
 - (iv) the Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of B(P)R at building plan submission stage; and
 - (v) the applicant's attention is drawn to the following points:
 - if any existing structure is erected on leased land without the approval of BA, they are UBW under BO and should not be designated for any proposed use under the application;
 - for UBW erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with the prevailing enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under BO;
 - the 13m high structure for storage with ancillary workshop and toilet is considered excessive. It should be justified upon formal plan submission to BD; and
 - detailed checking under BO will be carried out at building plan submission stage.

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To : Secretary, Town Planning Board

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax : 2877 0245 or 2522 8426

By e-mail : tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates

A/NE-TKLN/114

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

「提意見人」姓名/名稱 Name of person/company making this comment 侯志強議員

簽署 Signature  日期 Date 2025.10.31

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2025年11月17日星期一 2:35
收件者: tpbpd/PLAND
主旨: A/NE-TKLN/114 DD 78 Lin Ma Hang Road
類別: Internet Email

A/NE-TKLN/114

Lots 1358 RP and 1359 in D.D. 78, Lin Ma Hang Road, Ta Kwu Ling

Site area: About 1,230sq.m

Zoning: "Recreation"

Applied use: Open Storage / Warehouse / Vehicle Repair Workshop / 1 Vehicle Parking

Dear TPB Members,

Yet another application for brownfield on Lin Ma Hang. This in spite of the many applications for similar use that have been rejected.

This indicates that the decisions made by TPB are not respected. The operations go ahead, no enforcement is taken.

The application process is basically a farce.

Mary Mulvihill

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致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

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A/NE-TKLN/114 Received on 13/01/2026

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見附頁

「提意見人」姓名/名稱 Name of person/company making this comment

姚有華

簽署 Signature

姚有華

日期 Date

22.2026

城市規劃委員會：

就新界北打鼓嶺蓮麻坑路申請：A/NE-TKLN/114

擬建臨時露天貯物及倉庫存放汽車零件連附汽車修理工場提出意見

就標題的申請，本人經與居民共同討論，我們對此非常關切與堅決反對，理由如下：

一、交通與安全問題

首先，申請地段正正在蓮麻坑路旁，而蓮麻坑路是本村及以北村落的主要對外通道，更是進出香園圍口岸的重要道路，每日大大小小車輛往來頻繁。而根據上述申請的規劃只有 1 個停車處，1 個輕型貨車車位，所以當維修車輛進出或等待時，一定會占用道路空間，影響主要道路車流；另外，大型貨車運送零件時，若卸貨區不足，將會臨時停靠路旁，妨礙車道。

其次，申請地段旁邊有一巴士站，巴士站旁常有行人聚集，車輛頻繁進出可能增加人車碰撞風險。若倉庫或工場的出口視線受阻，更容易引發交通事故。巴士停靠時若被維修車輛佔用，可能導致乘客上下車不便，甚至影響巴士準點率。

然而，上述申請沒有就車輛的交通影響及行人的交通影響進行評估，完全漠視交通與安全的問題，我們堅決反對。

二、環境污染與健康危害

修理工場的噴漆、打磨作業將釋放揮發性有機物及有毒化學氣體，而露天倉庫堆放的廢舊車輛與零件可能鏽蝕或洩漏油污，長期影響空氣品質。粉塵與金屬微粒隨風擴散，可能加劇附近居民呼吸道疾病風險，尤其對長者、兒童及過敏體質者造成健康威脅。廢機油、電池液、冷卻劑等危險化學物質若未妥善處理，可能滲入土壤及地下水，影響土地上的水道甚至附近的深圳河，造成長期生態破壞。

三、與新界北新市鎮規劃衝突

根據政府公布新界北新市鎮發展規劃，申請地段屬「優先發展區」，工程預計於 2028/29 年展開，上述申請將成為政府徵收的障礙，批准上述申請是否合適？

我們堅信，維護居住環境的品質與安全是居民的基本權益，而公帑須用得其所，作為香港市民及納稅人的我們，極不願意日後政府工程收地時用公帑賠償該地段上的作業人，懇請委員會考慮上述申請時三思。

竹園村村代表

姚有華

二零二六年二月二日

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致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

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A/NE-TKLN/114 Received on 13/01/2026

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

見附件

「提意見人」姓名/名稱 Name of person/company making this comment 鄭松發

簽署 Signature 

日期 Date 2020/1/13

城市規劃委員會：

就新界北打鼓嶺蓮麻坑路申請：A/NE-TKLN/114

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三、與新界北新市鎮規劃衝突

根據政府公布新界北新市鎮發展規劃，申請地段屬「優先發展區」，工程預計於 2028/29 年展開，上述申請將成為政府徵收的障礙，批准上述申請是否合適？

我們堅信，維護居住環境的品質與安全是居民的基本權益，而公帑須用得其所，作為香港市民及納稅人的我們，極不願意日後政府工程收地時用公帑賠償該地段上的作業人，懇請委員會考慮上述申請時三思。

竹園村村代表



二零二六年二月二日

城市規劃委員會：

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就新界北打鼓嶺蓮麻坑路申請：A/NE-TKLN/114

擬建臨時露天貯物及倉庫存放汽車零件連附汽車修理工場提出意見

就標題的申請，本人經與居民共同討論，我們對此非常關切與堅決反對，理由如下：

一、交通與安全問題

首先，申請地段正正在蓮麻坑路旁，而蓮麻坑路是本村及以北村落的主要對外通道，更是進出香園圍口岸的重要道路，每日大大小小車輛往來頻繁。而根據上述申請的規劃只有 1 個停車處，1 個輕型貨車車位，所以當維修車輛進出或等待時，一定會占用道路空間，影響主要道路車流；另外，大型貨車運送零件時，若卸貨區不足，將會臨時停靠路旁，妨礙車道。

其次，申請地段旁邊有一巴士站，巴士站旁常有行人聚集，車輛頻繁進出可能增加人車碰撞風險。若倉庫或工場的出口視線受阻，更容易引發交通事故。巴士停靠時若被維修車輛佔用，可能導致乘客上下車不便，甚至影響巴士準點率。

然而，上述申請沒有就車輛的交通影響及行人的交通影響進行評估，完全漠視交通與安全的問題，我們堅決反對。

二、環境污染與健康危害

修理工場的噴漆、打磨作業將釋放揮發性有機物及有毒化學氣體，而露天倉庫堆放的廢舊車輛與零件可能鏽蝕或洩漏油污，長期影響空氣品質。粉塵與金屬微粒隨風擴散，可能加劇附近居民呼吸道疾病風險，尤其對長者、兒童及過敏體質者造成健康威脅。廢機油、電池液、冷卻劑等危險化學物質若未妥善處理，可能滲入土壤及地下水，影響土地上的水道甚至附近的深圳河，造成長期生態破壞。

三、與新界北新市鎮規劃衝突

根據政府公布新界北新市鎮發展規劃，申請地段屬「優先發展區」，工程預計於 2028/29 年展開，上述申請將成為政府徵收的障礙，批准上述申請是否合適？