

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/579

- Applicant** : Lok Fung Industrial Limited represented by Metro Planning and Development Company Limited
- Site** : Lots 23 RP (Part), 28 RP (Part), 30 RP (Part), 43 (Part), 193, 194 (Part), 195 (Part) and 196 (Part) in D.D. 128 and Adjoining Government Land (GL), Ha Tsuen, Yuen Long, New Territories
- Site Area** : About 4,550m² (including GL of about 635m² or 14%)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Draft Hung Shui Kiu and Ha Tsuen (HSK and HT) Outline Zoning Plan (OZP) No. S/HSK/3
(*currently in force*)

Approved HSK and HT OZP No. S/HSK/2
(*at the time of submission*)

[the zoning remains unchanged on the OZP No. S/HSK/3]
- Zoning** : “Open Space” (“O”)
- Application** : Temporary Warehouse for Storage of Construction Material, Plastic, Machinery, Spare Part and Ancillary Packaging Workshop for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary warehouse for storage of construction material, plastic, machinery, spare part and ancillary packaging workshop for a period of three years at the Site which is zoned “O” on the OZP (**Plan A-1a**). According to the covering Notes of the OZP, temporary use or development of any land or buildings 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 Deep Bay Road via a local track, with the ingress/egress point at the northern part of the Site (**Drawings A-1, Plan A-2**). According to the applicant, two temporary structures (one to two storeys, not more than 12m in height) with a total floor area of not more than 3,035m² are used for warehouse for storage of construction material, plastic, machinery, spare part and ancillary packaging workshop and storage area while another two temporary structures (one to two storeys, not more than 7m in height) with a total floor area of not more than 250m²

are used for guard room, toilet, storage area, water tank and pump room. The ancillary packaging workshop will be enclosed within the warehouses and no other workshop activities will be carried out at the Site. Two parking spaces for private cars (each of 5m x 2.5m) and a loading/unloading (L/UL) space for medium goods vehicle (MGV) (11m x 3.5m) are provided (**Drawing A-2**). The operation hours are from 7:00 a.m. to 11:00 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 as-built drainage facilities submitted by the applicant are at **Drawings A-1 to A-3** respectively.

- 1.3 The Site, in part or in whole, is involved in five previous applications for temporary warehouse which were approved by the Rural and New Town Planning Committee (the Committee) of the Board between 2011 and 2022 (details at paragraph 5 below) (**Plan A-1b**).
- 1.4 Compared with the last application No. A/HSK/401 approved by the Committee on 23.9.2022, the current application is submitted by a different applicant at the same site with a similar layout and for the same use with addition of ancillary packaging workshop. 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/401) (a)	Current Application (A/HSK/579) (b)	Difference (b) – (a)
Applied Use	Temporary Warehouse for Storage of Construction Material, Machinery and Spare Parts for a Period of 3 Years	Temporary Warehouse for Storage of Construction Material, Plastic, Machinery, Spare Part and Ancillary Packaging Workshop for a Period of 3 Years	Addition of storage of plastics and ancillary packaging workshop
Site Area	About 4,550m ²		No change
Total Floor Area	Not more than 2,790m ²	Not more than 3,285m ²	+495m² (+17.7%)
No. of Structures	9 (warehouse, site office, guard room, toilet, water tank and pump room)	4 (warehouse, ancillary packaging workshop, storage area, guard room, toilet, water tank and pump room)	-5
Building Height	one to two storeys, not more than 12m in height		No change
No. of L/UL Space	1 for MGV		No change
No. of Car Parking Space	2 for private cars		No change
Operation Hours	from 7:00 a.m. to 11:00 p.m. from Mondays to Saturdays, 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 26.8.2025 (Appendix I)
- (b) Supplementary Information (SI) received on 28.8.2025 (Appendix Ia)
- (c) Further Information (FI) received on 13.10.2025* (Appendix Ib)
- (d) FI received on 8.12.2025# (Appendix Ic)
- (e) FI received on 9.2.2026* (Appendix Id)
- (f) FI received on 27.2.2026* (Appendix Ie)
- (g) FI received on 11.3.2026* (Appendix If)
- (h) FI received on 18.3.2026* (Appendix Ig)

**accepted and exempted from publication and recounting requirements*

#accepted but not exempted from publication and recounting requirements

1.6 On 24.10.2025 and 6.2.2026, the Committee of the Board agreed to defer making a decision on the application for two months as each requested by the applicant.

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) previous applications for the same use have been approved by the Committee at the Site. Compared with the last application No. A/HSK/401, the current application is for similar use with an increased floor area. All approval conditions of the previous application No. A/HSK/401 had been complied with;
- (b) the development is not incompatible with the surrounding areas which are mainly occupied by open storage and port back-up uses. Similar planning applications have been approved by the Committee in the adjoining areas. The planning circumstances of the current application are similar to those of the adjacent sites with planning permissions for open storage and port back-up uses;
- (c) the applied use is temporary in nature and would not jeopardise the long-term planning intention of the concerned zone; and
- (d) insignificant traffic, drainage, environmental and landscape impacts are anticipated.

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 Ping Shan Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. The “Owner’s Consent/Notification” Requirements are not applicable to the GL portion.

4. Background

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

5. Previous Applications

- 5.1 The Site, in part or in whole, is involved in 10 previous applications (No. A/YL-HT/174, 192, 301, 484, 673, 748, 894 and 1067 and A/HSK/196 and 401) for temporary open storage of construction materials or warehouse or vehicle park uses. Eight of these applications were approved with conditions by the Committee or the Appeal Board between 2004 and 2022 while the remaining two applications (No. A/YL-HT/174 and 192) were rejected by the Committee in 2000 and 2001. Details of these applications are summarised at **Appendix II** and their locations are shown on **Plan A-1b**.
- 5.2 Five applications (No. A/YL-HT/748, 894, 1067 and A/HSK/196 and 401) for temporary warehouse were approved with conditions by the Committee between 2011 and 2022 mainly on the considerations that the temporary use was not incompatible with the surrounding areas; and no major adverse comments from concerned government departments. However, one of the planning permissions (No. A/YL-HT/748) was subsequently revoked due to non-compliance with the time-limited approval conditions. As for the last application No. A/HSK/401, all the approval conditions have been complied with and the planning permission lapsed on 24.9.2025.
- 5.3 The considerations of the other three approved applications (No. A/YL-HT/301, 484 and 673) for temporary open storage of construction materials and the two rejected applications (No. A/YL-HT/174 and 192) for temporary vehicle park are not relevant to the current application which is for a different use.

6. Similar Application

There is no similar application within the same “O” zone on the OZP in the past five years.

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

- 7.1 The Site is:
- (a) accessible from Deep Bay Road via a local track; and
 - (b) currently used for the applied use without valid planning permission.
- 7.2 The surrounding areas are predominantly rural in character comprising open storage yards covered by valid planning permissions, warehouse and nullah to the east and south of the Site while to its north across Deep Bay Road are sitting-out area, church and sewage pumping station. Woodland with graves are on the hillside in the west of the Site.

8. Planning Intention

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 residents as well as the general public.

9. Comments from Relevant Government Departments

9.1 Apart from the government department as set out in paragraph 9.2 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 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) the Site comprises GL and 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;
- (b) the following private lots are covered by Short Term Waiver (STW) as listed below:

<u>STW No.</u>	<u>Lot in D.D. 128</u>	<u>Purposes</u>
3644	194, 195 and 196	Warehouse for Storage of Construction Material and Recyclable (Including Metal and Plastic Goods) with Ancillary Vehicle Repair Workshop

- (c) the GL within the Site (about 635m² as mentioned in the Application Form) has been fenced off/unlawfully occupied with unauthorized structures without any permission. Any occupation of GL without Government's prior approval is an offence under Land (Miscellaneous Provisions) Ordinance (Cap. 28). His office reserves the rights to take necessary land control action against the unlawful occupation of GL without further notice;
- (d) should the planning application be approved, the STW holder(s) will need to apply to his office for modification of the STW conditions where appropriate and the lot owner(s) should apply to his office for the STW and Short Term Tenancy (STT) to permit the structures erected within the said private lots and the occupation of the GL. The application(s) for STW and STT will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The application(s), if approved, will be subject to such terms and conditions including the payment of waiver fee, rent and administrative fee as considered appropriate by LandsD. Besides, given the applied use is temporary in nature, only erection of

temporary structures will be considered; and

(e) his advisory comments are at **Appendix IV**.

10. Public Comment Received During Statutory Publication Periods

On 2.9.2025 and 19.12.2025, the application and FI were published for public inspection. During the statutory public inspection periods, no public comment was received.

11. Planning Considerations and Assessments

- 11.1 The application is for temporary warehouse for storage of construction material, plastic, machinery, spare part and ancillary packaging workshop for a period of three years at the Site which is zoned “O” on the OZP. Whilst the applied use is not in line with the planning intention of the “O” zone, there is no known development proposal at the Site. The Director of Leisure and Cultural Services advises that there is no plan to develop the Site into public open space in the upcoming three years. The Project Manager (West) of Civil Engineering and Development Department also advises that the Site falls within the study area of Lau Fau Shan Development in which 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.
- 11.2 The applied use is considered not incompatible with the surrounding areas which are predominantly rural in character comprising mainly open storage yards, warehouse, sitting-out area, church and sewage pumping station (**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 on the application 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 nuisances on the surrounding areas. Regarding DLO/YL, LandsD’s comments on the occupation of GL with unauthorized structures within the Site, the applicant will be advised to liaise with LandsD on the land administrative matters should the Committee approve the application.
- 11.4 The Committee has approved five previous applications for temporary warehouse use at the Site between 2011 and 2022. Approval of the current application is in line with the Committee’s previous decisions.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 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 **27.3.2029**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (b) the submission of a condition record of the existing drainage facilities on the site within **3** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **27.6.2026**;
- (c) 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 **27.9.2026**;
- (d) in relation to (c) above, the implementation of the fire service installations proposal within **9** months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **27.12.2026**;
- (e) if the above planning condition (a) 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
- (f) if any of the above planning condition (b), (c) 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 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 applied use is not in line with the planning intention of the "O" zone which is primarily for 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. 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 received on 26.8.2025
Appendix Ia	SI received on 28.8.2025
Appendix Ib	FI received on 13.10.2025
Appendix Ic	FI received on 8.12.2025
Appendix Id	FI received on 9.2.2026
Appendix Ie	FI received on 27.2.2026
Appendix If	FI received on 11.3.2026
Appendix Ig	FI received on 18.3.2026
Appendix II	Previous Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Vehicular Access Plan
Drawing A-2	Layout Plan
Drawing A-3	As-built Drainage Plan
Plan A-1a	Location Plan
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
MARCH 2026**