

Previous S.16 Application

Rejected Application

	Application No.	Use/Development	Date of Consideration	Rejection Reason
1.	A/NE-TKLN/79	Proposed Temporary Warehouse for Storage of Construction Material for a Period of Three Years and Associated Filling of Pond	19.7.2024	R1

Rejection Reason

- R1 The proposed use was not in line with the planning intention of the “Recreation” (“REC”) 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. There was no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.

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

Approved Applications

	Application No.	Uses/Developments	Date of Consideration
1.	A/NE-TKLN/89	Proposed Temporary Warehouse (Timber and Other Associated Materials) for a Period of Three Years	2.5.2025
2.	A/NE-TKLN/103	Proposed Temporary Warehouse for Storage of Construction Materials for a Period of Three Years	7.11.2025
3.	A/NE-TKLN/105	Proposed Temporary Warehouse for Storage of Construction Materials for a Period of Three Years	5.12.2025
4.	A/NE-TKLN/107	Proposed Temporary Warehouse for Storage of Construction Materials for a Period of Three Years	5.12.2025

Government Departments' General Comments

1. Traffic

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

- no comment on the application;
- taking into consideration the context of the application site (the Site) including its location and the existing traffic conditions on Lin Ma Hang Road, should the application be approved, an approval condition requiring that no operation on Saturdays, Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period should be included;
- should the application be approved, approval conditions on submission and implementation of traffic management measures 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;
- the existing local access road next to the Site is not under the maintenance of HyD; and
- his advisory comments are at **Appendix V**.

2. 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 has not been prepared to her satisfaction. 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 area. 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 not available; and
- her advisory comments are at **Appendix V**.

3. 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**.

4. **Environment**

Comments of the Director of Environmental Protection (DEP):

- no objection to the application from environmental perspective noting that heavy vehicles will be involved in the proposed use but no residential building is present within 100m from the site boundary and within 50m from the access road;
- no substantiated environmental complaint against the Site was received in the past three years; and
- his advisory comments are at **Appendix V**.

5. **Landscape**

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

- no adverse comment from landscape planning perspective;
- with reference to the aerial photo taken in 2025 and site photos taken on 30.12.2025, the Site is generally vacant and occupied by existing temporary structure. No distinctive landscape resources are observed. Significant adverse landscape impact arising from the proposed use is not anticipated;
- it is noted that 30 new *Lagerstroemia speciosa* (大花紫薇) trees will be proposed along the Site frontages and internal edges; and
- her advisory comments are at **Appendix V**.

6. **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 structure at the Site;
- it is noted that seven structures and drainage 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 unless they are exempted building works or commenced under the simplified requirement under the Minor Works Control System, otherwise they are unauthorised building works (UBW) under the Buildings Ordinance (BO). An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO; and
- his advisory comments are at **Appendix V**.

7. **Geotechnical**

Comments of the Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

- the southwestern part of the Site is overlooked by steep natural terrain and meets the Alert Criteria for a Natural Terrain Hazard Study (NTHS). As an alternative to the NTHS, a 'no-build' zone may be designated within which no critical facilities would be located. The suggested extent of the 'no-build zone' is shown in **Attachment**; and

- nevertheless, he notes in the applicant's submission that no specific use is annotated within the suggested 'no-build' zone. Provided that future use would not include any critical facilities in the 'no-build' zone, a NTHS is considered not necessary and he has no adverse comment on the application.

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) Project Manager (North), CEDD (PM(N), CEDD);
- (c) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (d) Commissioner of Police (C of P); and
- (e) District Officer (North), Home Affairs Department (DO(N), HAD).

Recommended Advisory Clauses

- (a) to resolve any land issue relating to the proposed use 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 Government land (GL) and Old Schedule Agricultural Lot 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 GL but no right of access via GL is granted to the Site;
 - (ii) no consent is given for inclusion of GL (about 550m² as mentioned in the Application Form) in the Site. The applicant is required to clarify whether policy support has been obtained for inclusion of the said GL. The proposal isolates a cluster of private lots (i.e. Lots 501 S.B, 501 S.C, 501 S.D, 502, 503, 504 and 505 in D.D. 80). The applicant is required to clarify the future access arrangement of the said to-be-isolated lots;
 - (iii) the following irregularity covered by the planning application has been detected by his office:
unauthorised structures within Lots 514, 515, 516 S.C and 517 RP in D.D. 80 covered by the planning application
according to the site inspection in mid-February 2026, there are unauthorised structures on Lots 514, 515, 516 S.C and 517 RP in D.D. 80 and extended to adjoining private Lots 502, 504, 516 S.B, 516 S.D, 516 S.E, 518, 519, 530, 533 and 537 in D.D. 80 not covered by the planning application. The lot owners should immediately rectify the lease breaches and his office reserves the rights to take necessary lease enforcement action against the breaches without further notice; and
 - (iv) the lot owners/applicant shall either (i) remove the unauthorised structures not covered by the subject planning application immediately; or (ii) include the unauthorised structures in the subject planning application for further consideration by the relevant departments and, subject to the approval of the Town Planning Board to the planning application which shall have reflected the rectifications as aforesaid required, the lot owners shall apply to his office for Short Term Waiver (STW) and Short Term Tenancy (STT) to permit the structures erected/to be erected within the said private lots and the occupation of GL. The applications 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 STW and STT, if approved, will be on whole lot basis and subject to such terms and conditions including the payment of back-dated waiver fee and rental from the first date when the unauthorised structures were erected and the GL was occupied (if found) as well as administrative fee as considered appropriate to be imposed by LandsD. In addition, LandsD reserves the right to take enforcement action against the lot owners for any breach of the lease conditions and the unlawful occupation of GL, including the breach(es) already in existence or to be detected at any point of time in future and land control action for any unlawful occupation of GL. Besides, given the proposed use is 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 that the Site is connected to the public road network via a section of a local access road which is not managed by the Transport Department (TD). The land status of the local access road should be checked with LandsD. Moreover, the management and maintenance responsibilities of the local access road

should be clarified with the relevant parties/authorities accordingly. Sufficient manoeuvring space shall be provided within the Site. No vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;

- (d) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD) that:
 - (i) the access arrangement and swept path analysis should be commented by TD;
 - (ii) HyD is not/shall not be responsible for the maintenance of any access connecting the Site and the nearby public roads; and
 - (iii) adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (e) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) the submitted drainage proposal has not been prepared to her satisfaction. 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 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 not available. The Environmental Protection Department (EPD) should be consulted regarding the sewage impact assessment and sewage treatment/disposal facilities for the proposed use;
- (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 on the following points:
 - the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy;
 - the location of the proposed FSI to be installed should be clearly marked on the layout plans; and
 - as the nearest street fire hydrant is not available within 400m, additional fire safety measures shall be imposed; and
 - (ii) the applicant is reminded that if the proposed structures are required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire service 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 that the applicant should 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;
- (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 the proposed use is 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. While the implementation programme of NTN New Town is being formulated under the P&E Study, the site formation works will likely commence soon after the completion of detailed design in next stage. Subject to the land use planning in the P&E Study, the proposed use may need to be vacated for the site formation works; and

- (j) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) it is noted that seven structures and drainage works are proposed on the Site. Before any new building works are to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained unless they are exempted building works or commenced under the simplified requirement under the Minor Works Control System, 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; and
 - (ii) the applicant's attention is drawn to the following points:
 - the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively;
 - 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;
 - 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 7m high warehouses are 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.



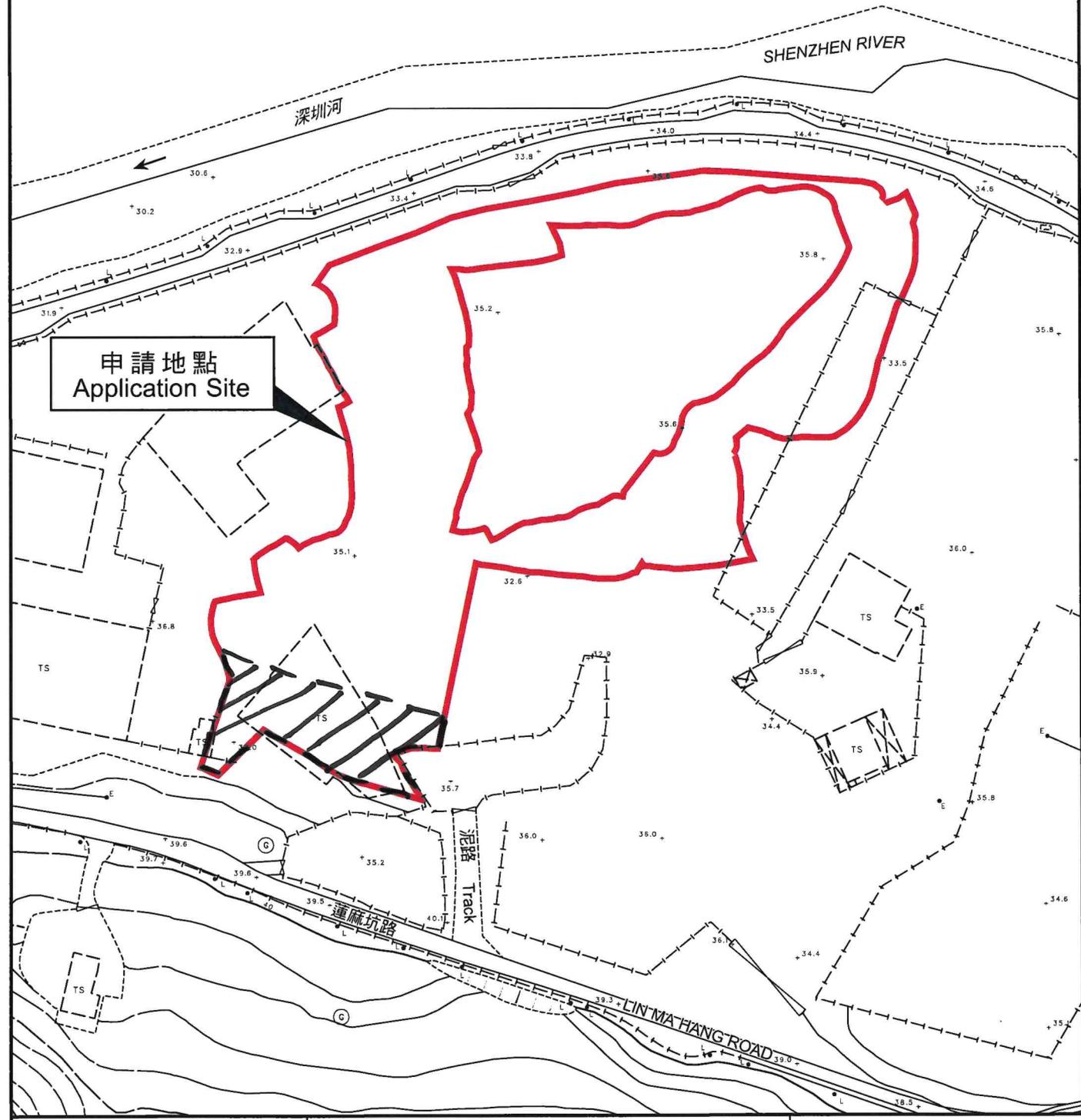
 proposed 'no-build' zone

深圳市
SHENZHEN SHI

SHENZHEN RIVER

深圳河

申請地點
Application Site



本摘要圖於2025年12月23日擬備，
所根據的資料為測量圖編號
3-NW-9B及10A
EXTRACT PLAN PREPARED ON 23.12.2025
BASED ON SURVEY SHEETS No.
3-NW-9B & 10A

平面圖 SITE PLAN

申請地點界線只作識別用
APPLICATION SITE BOUNDARY
FOR IDENTIFICATION PURPOSE ONLY

參考編號
REFERENCE No.
A/NE-TKLN/118

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/118

意見詳情 (如有需要，請另頁說明)
Details of the Comment (use separate sheet if necessary)

Handwritten signature and several blank lines for details of the comment.

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

簽署 Signature [Handwritten Signature] 日期 Date 2026.1.3

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tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年01月18日星期日 5:14
收件者: tpbpd/PLAND
主旨: A/NE-TKLN/118 DD 118 Lin Ma Hang Road Rec
類別: Internet Email

A/NE-TKLN/118

Lots 493 RP (Part), 494, 496, 499, 500RP, 501 S.E, 50, S.A ss.1, 501 S.A RP, 506 RP, 507 RP, 510 RP, 511 RP, 514, 515, 516 S.C, 517 RP, 517 S.A, 519(Part), 520 RP and Adjoining Government Land in D.D. 80, Lin Ma Hang Road, Ta Kwu Ling North

Site area: About 8,550sq.m (Includes Government Land of about 550q.m)

Zoning: "Recreation"

Applied use: Warehouse for Storage of Recyclable Materials / 2 Vehicle Parking

Dear TPB Members,

Strong Objections. Part of the site was rejected for similar use under 79 on 19 July 2024 as being incompatible with the zoning.

The Applicant trots out the relocation sob story but does not appear to have the explicit support of DevB. NOR SHOULD IT AS THIS IS GROSS MANIPULATION OF RELOCATION JUSTIFICATION.

The size of the site is many times that of the original premises and references to greening and planting trees is absolute greenwash.

"The GFA increases from 778 m² at the former site to ~1,440 m² here (about 1.8×), reflecting the Applicant's business growth and the need for safer, more efficient circulation and housekeeping."

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That relocation is the justification for a massive extension of brownfield use is bad enough, that it be allowed to be exploited in this manner brings a whole new dimension to the issue that DevB has betrayed the community re the provision of Cat 2 designation to cope with the relocated premises.

If this application is approved under policy support, then any hope of ethics on the part of the administration is binned.

Mary Mulvihill