

Previous Application

Approved Application

Application No.	Uses / Developments	Date of Consideration
A/NE-MKT/53	Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) and Associated Filling of Land for a Period of Three Years	21.11.2025

**Similar Applications for Temporary Warehouse
within/partly within the same “Agriculture” zone in the vicinity of the Application Site**

Approved Applications

Application No.	Uses / Developments	Date of Consideration
A/NE-MKT/34	Proposed Temporary Warehouse for Storage of Construction Materials for a Period of Three Years and Associated Filling of Land	20.9.2024 <i>(revoked on 20.9.2025)</i>
A/NE-MKT/35	Proposed Temporary Warehouse (Timber and Other Associated Materials) for a Period of Three Years and Associated Filling of Land	19.7.2024 <i>(revoked on 19.4.2026)</i>
A/NE-MKT/37	Proposed Temporary Warehouse for Storage of Food Provisions for a Period of Three Years and Associated Filling of Land	10.1.2025
A/NE-MKT/39	Proposed Temporary Warehouse for Storage of Construction Materials for a Period of Three Years and Associated Filling of Land	24.1.2025
A/NE-MKT/40	Proposed Temporary Warehouse for Storage of Construction Materials and Furniture for a Period of Three Years and Associated Filling of Land	2.5.2025 <i>(revoked on 2.5.2026)</i>
A/NE-MKT/46	Proposed Temporary Warehouse for Storage of Construction Materials for a Period of Three Years	18.7.2025
A/NE-MKT/56 ¹	Proposed Temporary Warehouse for Storage of Car Parts and Associated Filling of Land for a Period of Three Years	6.2.2026

Rejected Applications

Application No.	Uses / Developments	Date of Consideration	Rejection Reasons
A/NE-MKT/25 ¹	Temporary Open Storage and Warehouse for Construction Materials for a Period of Three Years and Filling of Land	11.9.2023	R1-R3
A/NE-MKT/26	Proposed Temporary Warehouse for Storage of Electronic Products and Open Storage of Packaging Tools for a Period of Three Years and Associated Filling of Land	1.12.2023 <i>(on review)</i>	R1-R2
A/NE-MKT/29	Proposed Temporary Warehouse for Storage of Engineering Tools and Equipment for a Period of Three Years	10.11.2023	R1-R2
A/NE-MKT/31	Proposed Temporary Logistics Warehouse (Excluding Dangerous Goods) and Ancillary Office for a Period of Three Years and Filling of Land	27.10.2023	R1-R3

Rejection Reasons

- R1 The proposed/applied use was not in line with the planning intention of the “Agriculture” zone, which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It was also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There was no strong planning justification in the submission to merit a departure from such planning intention, even on a temporary basis.
- R2 The applicant failed to demonstrate in the submission that the proposed/applied use would not cause adverse traffic, environmental, drainage, landscape and/or slope safety impacts on the surrounding areas.
- R3 The proposed use did not comply with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance in that no previous approval had been granted to the site and there were adverse departmental comments and local objections.

Remarks

- ¹ Application Nos. A/NE-MKT/25 and A/NE-MKT/56 largely involved the same site.

Government Departments' General Comments

1. Land Administration

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

- no comment on the application;
- the application site (the Site) comprises Old Schedule Agricultural Lots held under the Block Government Lease which contain 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 other private lot (i.e. Lot 71 S.A RP in D.D. 90), the applicant shall make his/her own arrangement; and
- his advisory comments on the application 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 perspective;
- should the application be approved, 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 to the adjacent area, and the implemented drainage facilities at the Site shall be maintained at all times during the planning approval period; and
- her advisory comments on the application are at **Appendix V**.

3. Fire Safety

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

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

4. Environment

Comments of the Director of Environmental Protection (DEP):

- no objection to the application from environmental planning perspective since no heavy vehicle nor dusty operation is involved;
- no comment on the proposed filling of land subject to implementation of the relevant mitigation measures listed in the Recommended Pollution Control Clauses for Construction Contracts;

- no environmental complaint was received for the Site in the past three years; and
- his advisory comments on the application 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 on the application from landscape planning perspective;
- based on the aerial photo taken in 2025, the Site is located in an area of rural inland plain landscape character comprising vegetated areas, tree clusters, temporary structures, village houses and woodland within the “Green Belt” zone to the east and west. The proposed use is considered not entirely incompatible with the surrounding environment;
- with reference to site photos taken in March 2026, the Site was fenced-off and formed. Some scattered temporary structures and some self-seeded vegetation of common/undesirable species were observed on it. As stated in **Appendices I and Ia**, tree felling is not involved;
- in view of the above, significant adverse landscape impact arising from the proposed use is not anticipated; and
- her advisory comments on the application are at **Appendix V**.

6. Electricity Safety

Comments of the Director of Electrical and Mechanical Services (DEMS):

- no in-principle objection to the application from electricity safety perspective;
- there are 132kV high voltage overhead lines running across the Site (**Plan A-2**), which is within the preferred working corridor of the concerned overhead lines as stipulated in the Hong Kong Planning Standards and Guidelines (HKPSG) published by the Planning Department; and
- his advisory comments on the application are at **Appendix V**.

7. Other Departments

The following Government departments have no objection to/no comment on the application:

- (a) Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD);
- (b) Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
- (c) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- (d) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);

- (e) Commissioner of Police (C of P); and
- (f) Project Manager (North), CEDD (PM(N), CEDD).

Reply from IIR of Muk Wu:

申請編號：A/NE-MKT/61
擬議臨時貨倉（存放建築材料）及相關填土工程（為期 3 年）
文錦渡蓮麻坑路丈量約份第 90 約地段第 467 號 A 分段(部分)及第 468 號

本人/機構接獲北區民政處來信，諮詢上述事宜，現回覆如下：

贊成（理由/意見：_____）

反對（理由/意見：
此地段申請大型建築物會對村
附近生態造成破壞，連麻路只是
單線雙程路，如果增加大型貨車出入令該道路大
增加負荷，令到交通阻塞更加嚴重村民辦事困難。
所以本村村民全部一貫反對。

無意見（其他補充事項：_____）

（請於合適的方格口內填上「✓」號）

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本人/機構接獲北區民政處來信，諮詢上述事宜，現回覆如下：

贊成（理由/意見：_____）

反對（理由/意見：
反對，現在道路已很繁忙，
村民出入做成不便，對環境
做成破壞

無意見（其他補充事項：_____）

（請於合適的方格口內填上「✓」號）

Recommended Advisory Clauses

- (a) to resolve any land issues relating to the development with the concerned owner(s) of the application site (the Site);
- (b) failure to reinstate the Site as required under the relevant approval condition upon expiry of the planning permission might constitute an unauthorized development under the Town Planning Ordinance and be subject to enforcement and prosecution actions;
- (c) to note the comments of the Commissioner for Transport (C for T) that the Site is connected to the public road network via a section of a local access which is not managed by the Transport Department. The land status of the local access road should be checked with the Lands Department (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 reserve onto/from public road at any time during the planning approval period;
- (d) to note the comments of the District Lands Officer/North, LandsD (DLO/N, LandsD) that:
- (i) the following irregularity covered by the subject planning application has been detected by his office:
- Unauthorised structures within the said private lots covered by the application
- there are unauthorised structures on the said private lots. 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;
- (ii) the lot owners shall apply to his office for 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 the whole lot basis and subject to such terms and conditions including the payment of back-dated waiver fee from the first date when the unauthorised structures were erected and administrative fee as considered appropriate to be imposed by LandsD. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered; and
- (iii) the applicant should comply with all the land filling requirements imposed by relevant government departments. GL should not be disturbed unless with prior approval;
- (e) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
- (i) the Site is located in an area where no public sewerage connection is available; and
- (ii) the applicant should be reminded of the following general requirements in the drainage proposal:
- surface channel with grating covers should be provided along the site boundary;
 - a drainage plan should be provided clearly showing the size, levels and routes of the proposed drainage. The details (invert level, gradient, general sections etc.) of the proposed drain/surface channel, catchpits and the discharge structure shall be provided;

- the cover levels of proposed channels should be flush with the existing adjoining ground level;
 - a catchpit with covers should be provided where there is a change of direction of the channel/drain. The details of the catchpit with covers shall be provided;
 - catchpits with sand trap shall be provided at the outlets of the proposed drainage system. The details of the catchpit with sand trap should be provided;
 - the applicant should check and ensure that the existing drainage downstream to which the proposed connection will be made have adequate capacity and satisfactory condition to cater for the additional discharge from the Site. He/she should also ensure that the flow from the Site will not overload the existing drainage system;
 - where walls are erected or kerbs are laid along the site boundary, peripheral channels should be provided on both sides of the walls or kerbs, and/or adequate openings should be provided at the walls/kerbs to allow existing overland flow passing through the Site to be intercepted by the drainage system of the Site with details to be agreed by DSD, unless justified not necessary;
 - all existing flow paths as well as the run-off falling onto and passing through the Site should be intercepted and disposed of via proper discharge points. The applicant shall also ensure that no works, including any site formation works, shall be carried out as may adversely interfere with the free flow condition of the existing drains, channels and watercourses on or in the vicinity of the Site any time during or after the works;
 - the proposed drainage works, whether within or outside the Site, should be constructed and maintained properly by the applicant and rectify the system if it is found to be inadequate or ineffective during operation at his/her own expense;
 - for works to be undertaken outside the lot boundary, the applicant should obtain prior consent and agreement from DLO/N, LandsD and/or relevant private lot owners;
 - the applicant should make good all the adjacent affected areas upon the completion of the drainage works;
 - the applicant shall allow all time free access for the Government and its agent to conduct site inspection on his/her completed drainage works;
 - the applicant and the successive lot owners shall allow connections from the adjacent lots to the completed drainage works on GL when so required; and
 - photos should be submitted clearly showing the current conditions of the area around the Site, the existing drainage/flowpaths around the Site, the proposed drainage from the Site to the downstream existing watercourse and the existing watercourse at about 20m intervals. The locations of the camera and the direction of each photo should also be indicated on a plan;
- (f) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the

proposed FSIs to his Department for approval. In addition, the applicant should note that:

- (i) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; and
- (ii) the location of where the proposed FSIs to be installed should be clearly marked on the layout plans;

if the proposed structures are required to comply with the Buildings Ordinance (BO), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;

- (g) to note the comments of the Director of Environmental Protection (DEP) that the applicant should observe the requirements of the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites'; implement the relevant mitigation measures listed in the Recommended Pollution Control Clauses for Construction Contracts (https://www.epd.gov.hk/epd/english/environmentinhk/eia_planning/guide_ref/rpc.html) during land filling; and to provide suitable sewage treatment facilities as required under Professional Persons Environmental Consultative Committee Practice Note (ProPECC PN) 1/23 'Drainage Plans subject to Comment by the Environmental Protection Department' and are duly certified by an Authorised Person (AP) or employ licensed waste collector to regularly collect and properly dispose of the sewage collected in the proposed toilet;
- (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 is reminded to seek approval for any proposed tree works from relevant departments prior to commencement of the works;
- (i) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that:
 - (i) the applicant should observe the requirements of minimum safety clearance, minimum vertical clearance and preferred working corridor of the concerned overhead lines as stipulated in Clause 2.3.5, 2.3.6 and 2.3.14 under Chapter 7 – Utility Services of the Hong Kong Planning Standards and Guidelines and ensure they shall be maintained at any time during and after construction;
 - (ii) no scaffolding, crane and hoist shall be built or operated within 6m from the outermost 132kV conductors at all times. Warning notices should be posted at conspicuous locations to remind operators and workers of the proposed use. CLP Power shall be consulted on the safety precautions required for carrying out any works near the concerned overhead lines;
 - (iii) in any time during and after construction, CLP power shall be allowed to get access to the working corridor area of the concerned overhead lines for carrying out any operation, maintenance and repair work including tree trimming;
 - (iv) the Electricity Supply Lines (Protection) Regulation (Cap. 406H) and the 'Code of Practice on Working near Electricity Supply Lines' established under Cap. 406H shall be observed by the applicant and his/her contractors when carrying out works in the vicinity of the electricity supply lines; and
 - (v) as regards the electric and magnetic fields arising from the transmission overhead lines, the applicant should be warned of possible undue interference to some electronic equipment in the vicinity, if any;
- (j) to note the comments of the Chief Building Surveyor/New Territories West, Buildings

Department (CBS/NTW, BD) that:

- (i) it is noted that five structures and land filling are proposed at 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 the BO. An AP should be appointed as the coordinator for the proposed building works in accordance with the BO;
- (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 the B(P)R at building plan submission stage;
 - if the existing structure is erected on leased land without approval of the BA, they are UBW under the BO and should not be designated for any approved use under the captioned 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 the BO;
 - before any new building works (including containers/open sheds as temporary buildings, demolition and land filling etc.) are to be carried out on the Site, prior approval and consent of the BA should be obtained, otherwise they are UBW under the BO. An AP should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings are subject to the control of Part VII of the B(P)R;
 - the 7m-high warehouse are considered excessive. It should be justified upon formal plan submission to BD; and
 - detailed checking under the BO will be carried out at building plan submission stage;
- (k) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD):
 - (i) HyD is not/shall not be responsible for the maintenance of any access connecting the Site and the nearest public road; and
 - (ii) adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public road and drains; and
- (l) to note the comments of the Project Manager (North), CEDD (PM(N), CEDD) that the proposed use is located within the proposed New Territories North (NTN) New Town under the Planning & 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. Hence, subject to the land use planning in the P&E Study, the proposed use may need to be vacated for the site formation works.

Urgent Return receipt Expand Group Restricted Prevent Copy

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年04月15日星期三 2:34
收件者: tpbpd/PLAND
主旨: A/NE-MKT/61 DD 90 Lin Ma Hang Road
類別: Internet Email

A/NE-MKT/61

467 S.A (Part) and 468 in D.D. 90, Lin Ma Hang Road, Man Kam To

Site area: About 1,500sq.m

Zoning: "Agriculture"

Applied use: Open Storage / Warehouse / 3 Vehicle Parking / **Filling of Land**

Dear TPB Members,

Ans sure enough, as soon as ink was dry on the approval for the FAKE HOBBY FARM, back the real deal. Amazingly a relocation sob story just happened to find this site.

Members should refer to the discussion re A/NE-MKT/49

"while this would be the first and the only temporary approval for the applied use for a period of 3 years in the area, the approval was considered unlikely to set an undesirable precedent"

If members approve this application and reward blatant subterfuge then the board has completely abandoned all pretence of making decisions based on common sense and respect for the propriety and the guidelines.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Monday, 20 October 2025 3:33 AM HKT
Subject: A/NE-MKT/53 DD 90 Lin Ma Hang Road

A/NE-MKT/53

467 S.A (Part) and 468 in D.D. 90, Lin Ma Hang Road, Man Kam To

Urgent Return receipt Expand Group Restricted Prevent Copy

Site area: About 1,500sq.m

Zoning: "Agriculture"

Applied use: Hobby Farm / 2 Vehicle Parking / **Filling of Land**

Dear TPB Members,

Strong Objections. The applicant has studied the progress of the adjoining site from FAKE hobby farm to warehouse and this is the first step. With no relocation sob story to legitimize brownfield use it requires the incremental process.

I refer to applications 24 and 39.

Get approval to fill in one third of the site and take it from there.

Hobby Farm on Lin Ma Hang Road with no public transport? No genuine farmer would fill in one third of the land.

The application should be rejected.

Mary Mulvihill