

Previous S.16 Applications

Rejected Applications

	Application No.	Uses/Developments	Date of Consideration	Rejection Reasons
1.	A/NE-TKLN/29	Proposed Temporary Warehouse and Open Storage of Containers for a Period of Three Years	17.1.2020	R1,R2,R3
2.	A/NE-TKLN/31	Proposed Temporary Logistics Warehouse for a Period of Three Years	6.3.2020	R3,R4,R5
3.	A/NE-TKLN/34	Proposed Temporary Private Club (Skateboard Training Ground and Golf Driving Range) with Ancillary Office for a Period of Two Years	10.7.2020	R3,R6,R7

Rejection Reasons

- R1 The proposed development was not in line with the planning intention of the “Recreation” (“REC”) zone, which was intended 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 such planning intention, even on a temporary basis.
- R2 The applicant failed to demonstrate in the submission that the proposed development would not cause adverse traffic impact on the surrounding areas.
- R3 The approval of the application would set an undesirable precedent for similar applications within the same “REC” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.
- R4 The proposed development was not in line with the planning intention of the “REC” zone which was intended 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 subject to planning permission. There was no strong planning justification for a departure from such planning intention, even on a temporary basis.
- R5 The applicant failed to demonstrate that the proposed development would not cause adverse traffic and drainage impacts on the surrounding areas.
- R6 The proposed development was not in line with the planning intention of the “REC” zone which was intended primarily for low-density recreational developments for the use of the general public. There was no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis.
- R7 The applicant failed to demonstrate in the submission that the proposed development would not cause adverse traffic, environmental and drainage impacts on the surrounding areas.

**Similar S.16 Applications for Temporary 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/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
5.	A/NE-TKLN/118	Proposed Temporary Warehouse for Storage of Spare Parts and Recyclable Materials (Metal) for a Period of Three Years	27.3.2026

Rejected Application

Application No.	Uses/Developments	Date of Consideration
A/NE-TKLN/79	Proposed Temporary Warehouse (Timber and Other Associated Materials) for a Period of Three Years	19.7.2024

Rejection Reasons

- R1 The proposed use was not in line with the planning intention of the “Recreation” zone, which was primarily for low-density recreation 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.

Government Departments' General Comments

1. Traffic

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
- 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;
- should the application be approved, approval conditions should be included to request the applicant to submit and implement a drainage proposal for the Site to ensure that the applied use 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 applied 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 over 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 on the application from landscape planning perspective;
- based on the aerial photo taken in 2025, the Site is located adjacent to the border in an area of upland and hillside landscape character comprising temporary warehouses, temporary structures, holiday campsite, vegetated areas and tree clusters. The applied use is considered not entirely incompatible with the surrounding environment;
- with reference to the site photos taken on 17.3.2026, the Site is fenced-off, paved and some scattered temporary structures and vegetation were found. No trees were observed within the Site from the photos. According to the Application Form, tree felling is not involved;
- as stated in paragraphs 4.3 and 5.5 of the Planning Statement, no land or pond filling and no excavation works are proposed under this application;
- in view of the above, significant adverse landscape impact arising from the application is not anticipated; 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 structures at the Site;
- it is noted that a structure is 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; and
- his advisory comments are at **Appendix V**.

7. Other Departments

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

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

Recommended Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the application site (the Site);
- (b) to resolve any land issue relating to the applied use with the concerned owner(s) of the Site;
- (c) to note the comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD) that:
 - (i) the Site comprises Government land (GL), Old Schedule Agricultural Lot 487 S.B RP in D.D. 80 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, and New Grant Lots 573 and 577 both in D.D. 80 for agricultural use only and no structure shall be erected on the lots. 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 382m² as mentioned in the Application Form) in the Site;
 - (iii) the following irregularities covered by the planning application have been detected by his office:

unauthorised structures within Lots 487 S.B RP, 573 and 577 all in D.D. 80 covered by the planning application

there are unauthorised structures on Lot 487 S.B RP, 573 and 577 all in D.D. 80. The lot owner(s) should immediately rectify/regularise the lease breaches and his office reserves the rights to take necessary lease enforcement action against the breaches without further notice;

there are unauthorised structures on Lots 487 S.B RP, 573 and 577 all in D.D. 80 which are already subject to lease enforcement actions according to case priority. The lot owners should rectify the lease breaches as demanded by LandsD. According to the records at the Land Registry, statutory orders (Nos. C/TC/00926/22/NT, C/TC/00927/22/NT and C/TC/00928/22/NT) under Buildings Ordinance were registered against the unauthorised structures on the said private lots. Such unauthorised building works (UBW) whether or not within the Site cannot be considered for the Short Term Waiver (STW) application;

unlawful occupation of GL adjoining Lots 487 S.B RP and 577 both in D.D. 80 with unauthorised structures covered by the planning application

the GL within the Site has been fenced-off/illegally occupied with unauthorised structures without any permission. Any occupation of GL without Government's prior approval is an offence under Cap. 28. There is illegal occupation of GL which regularisation would not be considered according to the prevailing land policy. The lot owners should immediately cease the illegal occupation of GL and remove the unauthorised structures as demanded by LandsD. His office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice;

- (iv) the following irregularities not covered by the planning application have been detected by his office:

unauthorised structures within Lots 485 RP, 488, 575 and 576 all in D.D. 80 not covered by the planning application

there are unauthorised structures on Lot 487 S.B RP in D.D. 80 extended to the adjoining Lots 485 RP, 488, 575 and 576 all in D.D. 80 which are 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;

unlawful occupation of GL adjoining Lots 488, 573, 575, 576 and 577 all in D.D. 80 not covered by the planning application

the GL adjoining Lots 488, 573, 575, 576 and 577 all in D.D. 80 has been fenced-off/illegally occupied with unauthorised structure(s) without permission. The GL being illegally occupied is not included in the application. The applicant should clarify the extent of the Site. Any occupation of GL without Government's prior approval is an offence under Cap. 28. His office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice; and

- (v) erection of unauthorised structures and illegal occupation of GL should not be encouraged. The lot owners/applicant should remove all the unauthorised structures and rectify the occupation of GL immediately;
- (d) 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 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;
- (e) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD) that:
 - (i) the proposed access arrangement, swept path analysis and traffic impact should be commented by TD;
 - (ii) adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains; and
 - (iii) 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 application shall be repaired to his satisfaction at the applicant's own costs;
- (f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) the drainage facilities should be rectified if they are found inadequate/ineffective during operation;
 - (ii) the applicant should construct and maintain the proposed drainage facilities whether within or outside the Site at his own expense; and
 - (iii) the Site is in an area where public sewerage connection is not available. The Environmental Protection Department should be consulted regarding the sewage impact assessment and sewage treatment/disposal facilities for the applied use;

- (g) 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 also be advised as follows:
 - the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy;
 - the location of the proposed FSIs 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 safety requirements will be formulated upon receipt of formal submission of general building plans;
- (h) to note the comments of the Director of Environmental Protection (DEP) 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;
- (i) 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;
- (j) to note the comments of the Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD) that the applied 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 applied use may need to be vacated for the site formation works; and
- (k) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) it is noted that a structure is 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, 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 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;
 - 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 applied 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;
- any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings and are subject to the control of Part VII of B(P)R;
- the 6m high warehouse 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

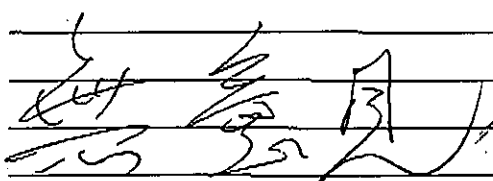
By e-mail : tpbpd@pland.gov.hk

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

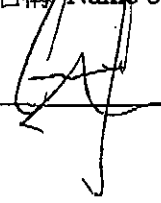
A/NE-TKLN/125

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 2026.3.19