

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-TKLN/125

- Applicant** : Join Dragon Godown & Logistics Limited represented by Ying Shing (Hopewell) Engineering Company Limited
- Site** : Lots 487 S.B RP, 573 and 577 in D.D. 80 and Adjoining Government Land (GL), Lin Ma Hang Road, Ta Kwu Ling North
- Site Area** : About 5,886m² (including GL of about 382m² or about 6.5% of the Site)
- Leases** : Lot 487 S.B RP in D.D. 80
- Block Government Lease (demised for agricultural use)
- Lots 573 and 577 in D.D. 80
- New Grant Lot for agricultural use
- Plan** : Approved Ta Kwu Ling North Outline Zoning Plan (OZP) No. S/NE-TKLN/2
- Zoning** : “Recreation” (“REC”)
- Application** : Temporary Warehouse for Storage of Electric Cable with Ancillary Open Storage of Construction Materials for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary warehouse for storage of electric cable with ancillary open storage of construction materials for a period of three years at the application site (the Site) falling within an area zoned “REC” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently hard-paved, largely fenced-off and occupied by a warehouse and open storage yards without valid planning permission.
- 1.2 The Site is accessible via Lin Ma Hang Road (**Plan A-2**). According to the applicant, the applied use comprises a single-storey structure with a building height of not more than 6m and a total floor area of about 2,600m² for storage of electric cables, and an ancillary open storage area of about 735m² (or 12.5% of the Site) for storage of construction materials (e.g. iron frames, angle iron, aluminium tubes and wooden cable reels). No storage of dangerous goods will be allowed and no polluting workshop activities (e.g. dismantling, repairing, cleansing and paint spraying) will be carried out at the Site. Two loading/unloading (L/UL) bays for medium goods vehicles (MGVs) (3.5m (W) x 11m (L) each) will be provided at the Site. The applicant proposes traffic management measures including provision of traffic signs and convex mirrors, and deployment of staff at the ingress/egress to manage traffic and pedestrian safety. Hoarding of about 2m in height

will be erected. Two existing trees within the Site will be retained. The operation hours of the applied use are between 9:00 a.m. and 5:00 p.m. from Mondays to Fridays, with no operation on Saturdays, Sundays and public holidays. The layout plan submitted by the applicant is shown in **Drawing A-1**.

- 1.3 The Site is part of the subject of three previous applications (No. A/NE-TKLN/29, 31 and 34) submitted by different applicants for proposed temporary warehouse and open storage of containers, temporary logistics warehouse and temporary private club respectively (**Plan A-1**), which were rejected by the Rural and New Town Planning Committee (the Committee) of the Board in 2020. Details of the previous applications are set out in paragraph 5 below. Compared with application No. A/NE-TKLN/29, which overlaps a large part of the Site, the current application mainly involves a larger site area (about +853m² / +16.9%) and floor area (about +900m² / +52.9%).
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with Attachments received on 9.3.2026 (Appendix I)
 - (b) Supplementary Information (SIs) received on 11.3.2026 and 12.3.2026 (Appendix Ia)
 - (c) Further Information (FIs) received on 8.4.2026 and 14.4.2026* (Appendix Ib)
 - (d) FI received on 20.4.2026* (Appendix Ic)
 - (e) FI received on 22.4.2026* (Appendix Id)
- *accepted and exempted from the publication and recounting requirements*

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form, SIs and FIs at **Appendices I to Id**, as summarised below:

- (a) the applicant mainly conducts business in the sector of sale and transportation for electric cables and construction materials. Approval of the application would allow the applicant to continue serving the local power and construction materials sectors in Hong Kong and supporting the Government's Northern Metropolis Development Strategy;
- (b) the applied use is not entirely incompatible with the surrounding area of rural character. Approval of the application on a temporary basis would not jeopardise the long-term planning intention of the "REC" zone;
- (c) drainage proposal will be submitted and implemented, and drainage facilities will be maintained throughout the approval period;
- (d) the applicant will comply with the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' ('COP') and relevant ordinances. No noisy or polluting processes will be undertaken at the Site and good site management and noise mitigation measures will be implemented, including installing hoarding at the Site; and
- (e) the applicant undertakes to fully cooperate with the Lands Department (LandsD) and Buildings Department in complying with all relevant requirements. The existing unauthorised structures will be demolished prior to submitting a Short Term Waiver (STW) application.

3. Compliance with the ‘Owner’s Consent/Notification’ Requirements

The applicant is not a “current land owner” and 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 obtaining consents from the “current land owners”. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the ‘Owner’s Consent/Notification’ Requirements under TPB PG-No. 31B are not applicable.

4. Background

- 4.1 The Site falls partly within an active enforcement case No. E/NE-TKLN/90 regarding unauthorized storage use (**Plan A-2**). Enforcement Notice (EN) was issued on 13.12.2024 requiring discontinuation of the unauthorized development (UD) by 13.1.2025. As the UD was not discontinued upon EN expiry, the registered owners were convicted on 17.9.2025. According to latest site inspection, the UD was not discontinued. Further prosecution action is being taken.
- 4.2 The Site falls partly within a previous enforcement case No. E/NE-TKLN/51 regarding unauthorized storage use (including deposit of containers) and workshop use (**Plan A-2**). EN was issued on 12.8.2020 requiring discontinuation of the UD. As the UD at the site was discontinued, Compliance Notice (CN) was issued to the relevant registered owner in July 2021.
- 4.3 The Site also falls partly within another previous enforcement case No. E/NE-TKLN/68 regarding unauthorized storage use (including deposit of containers) (**Plan A-2**). EN was issued on 8.7.2022 requiring discontinuation of the UD. As the UD at Lots 487 S.B RP, 573 and 577 in D.D. 80 was discontinued, CN was issued to the relevant registered owners in November 2024.

5. Previous Applications

- 5.1 The Site is part of the subject of three previous applications submitted by different applicants. Applications No. A/NE-TKLN/29 and 31 for proposed temporary warehouse and open storage of containers and proposed temporary logistics warehouse for a period of three years were rejected by the Committee on 17.1.2020 and 6.3.2020 respectively mainly on the grounds that there was no strong planning justification for a departure from the planning intention of the “REC” zone and the applicant failed to demonstrate that the proposed use would not generate adverse traffic and/or drainage impacts on the surrounding areas.
- 5.2 Application No. A/NE-TKLN/34 for proposed temporary private club (skateboard training ground and golf driving range) with ancillary office was rejected by the Committee on 10.7.2020. The planning considerations are not relevant to the current application which is for a different use.
- 5.3 Details of the previous applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

6. Similar Applications

- 6.1 There are six similar applications (No. A/NE-TKLN/79, 89, 103, 105, 107 and 118) involving five sites within the same “REC” zone in the vicinity of the Site in the past five years. Among them, five applications (No. A/NE-TKLN/89, 103, 105, 107 and 118) for temporary warehouse use for a period of three years were approved with conditions by the Committee between 2025 and 2026 mainly on the considerations that the applicant proposed measures to address traffic concerns and the Commissioner for Transport (C for T) had no comment on the application; there were no major adverse departmental comments or concerns of the relevant government departments could be addressed through imposition of approval conditions; and/or policy support from the Secretary for Development (SDEV) was obtained as the application was to facilitate relocation of business operation affected by government project (for applications No. A/NE-TKLN/89 and 118 only).
- 6.2 The remaining application No. A/NE-TKLN/79 for proposed temporary warehouse for storage of construction material for a period of three years and associated filling of pond was rejected by the Committee on 19.7.2024 mainly on the grounds that there was no strong planning justification for a departure from the planning intention. Besides, the Director of Environmental Protection (DEP) did not support the application and the Chief Town Planner/Urban Design and Landscape of Planning Department (CTP/UD&L, PlanD) raised concern on the application from landscape planning perspective. Part of the site was subsequently covered by an approved application No. A/NE-TKLN/118 as mentioned in paragraph 6.1 above.
- 6.3 Details of the similar applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.

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

- 7.1 The Site is:
- (a) currently hard-paved, largely fenced-off and occupied by a warehouse and open storage yards without valid planning permission; and
 - (b) accessible via Lin Ma Hang Road.
- 7.2 The surrounding areas are of rural character mainly comprising warehouses and vacant land.

8. Planning Intention

The planning intention of the “REC” zone is primarily for low-density recreational developments for the use of the general public. It encourages 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.

9. **Comments from Relevant Government Departments**

9.1 Apart from the government departments as set out in paragraphs 9.2 and 9.3 below, other government 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 at **Appendices IV** and **V** respectively.

9.2 The following government department objects to the application:

Land Administration

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

- (a) he objects to the application;
- (b) the Site comprises 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;
- (c) no consent is given for inclusion of GL (about 382m² as mentioned in the Application Form) in the Site;
- (d) 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;

LandsD has reservation on the planning application since 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 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. LandsD objects to the planning application since 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;

- (e) 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;

- (f) 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; and
- (g) unless and until the unauthorised structures including those subject to the statutory orders issued by Building Authority mentioned in paragraph 9.2.1 (d) above and the illegal occupation of GL are duly rectified by the lot owners/applicant, his office's objection to the application must be brought to the attention of the Board when they consider the application;

9.3 The following government department provides views on the application:

Traffic

9.3.1 Comments of C for T:

- (a) no comment on the application;
- (b) taking into consideration the location of the Site 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;
- (c) 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
- (d) her advisory comments are at **Appendix V**.

10. Public Comment Received During Statutory Publication Period

On 17.3.2026, the application was published for public inspection. During the statutory public inspection period, one comment from a member of the North District Council indicating no comment on the application was received (**Appendix VI**).

11. Planning Considerations and Assessments

- 11.1 The application is for temporary warehouse for storage of electric cable with ancillary open storage of construction materials for a period of three years at the Site falling within an area zoned “REC” on the OZP. While the applied use is not in line with the planning intention of the “REC” zone, there is no known proposal for recreational development at the Site. Taking into account the planning assessments below, there is no objection to the applied use on a temporary basis of three years.
- 11.2 The Site is located in an area of rural character mainly comprising warehouses and vacant land. CTP/UD&L, PlanD has no adverse comment on the application from landscape planning perspective, considering that the applied use is not entirely incompatible with the surrounding environment and significant adverse landscape impact arising from the application is not anticipated.
- 11.3 C for T has no comment on the application. Taking into consideration the location of the Site and the existing traffic conditions on Lin Ma Hang Road, she recommends imposing an approval condition on restricting operation on Saturdays, Sundays and public holidays. Also, approval conditions on implementation and maintenance of traffic management measures are recommended. Other relevant government departments consulted, including DEP, Chief Engineer/Mainland North of Drainage Services Department and Director of Fire Services have no objection to or no adverse comment on the application. To address the technical requirements of concerned government departments, relevant approval conditions are

recommended in paragraph 12.2 below. Should the application be approved, the applicant will be advised to follow the 'COP' to minimise any possible environmental nuisance. Regarding DLO/N, LandsD's concerns on the unauthorised structures erected within and outside the Site and the illegal occupation of GL, the applicant will also be advised to liaise with LandsD on these land administration matters should the Committee approve the application.

- 11.4 The Site is part of the subject of three previous applications. Two of them (applications No. A/NE-TKLN/29 and 31) for proposed temporary warehouse and open storage of containers and proposed temporary logistics warehouse respectively were rejected by the Committee in 2020 as detailed in paragraph 5.1 above. Compared with the rejected previous applications, there are no adverse comments on the current application from concerned government departments on traffic and drainage aspects. The planning circumstances of the current application are different from those of the rejected previous applications.
- 11.5 There are five approved similar applications within the same "REC" zone in the vicinity of the Site in the past five years as mentioned in paragraph 6.1 above. The planning circumstances of the current application are largely similar to those of the approved applications. Approval of the current application is in line with Committee's previous decisions.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comment in paragraph 10 above, PlanD 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 8.5.2029. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval Conditions

- (a) no operation on Saturdays, Sundays and public holidays, as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 8.11.2026;
- (c) in relation to (b) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 8.2.2027;
- (d) in relation to (c) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (e) 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 8.11.2026;

- (f) in relation to (e) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 8.2.2027;
- (g) the implementation of the traffic management measures, as proposed by the applicant, within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board by 8.2.2027;
- (h) in relation to (g) above, the implemented traffic management measures shall be maintained at all times during the planning approval period;
- (i) if any of the above planning condition (a), (d) or (h) 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
- (j) if any of the above planning condition (b), (c), (e), (f) or (g) 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 at **Appendix V**.

- 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 "REC" zone which is primarily for low-density recreational developments for the use of 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 the 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 applicants.

14. Attachments

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| Appendix I | Application Form with Attachments received on 9.3.2026 |
| Appendix Ia | SIs received on 11.3.2026 and 12.3.2026 |
| Appendix Ib | FIs received on 8.4.2026 and 14.4.2026 |
| Appendix Ic | FI received on 20.4.2026 |
| Appendix Id | FI received on 22.4.2026 |
| Appendix II | Previous Applications |

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|---------------------------|------------------------------------------|
| Appendix III | Similar Applications |
| Appendix IV | Government Departments' General Comments |
| Appendix V | Recommended Advisory Clauses |
| Appendix VI | Public Comment |
| Drawing A-1 | Layout Plan |
| Plan A-1 | Location Plan |
| Plan A-2 | Site Plan |
| Plans A-3a to A-3b | Aerial Photos |
| Plans A-4a to A-4b | Site Photos |

**PLANNING DEPARTMENT
MAY 2026**