

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL-PN/90**

- Applicant** : Win Dragon Transportation Limited represented by Lanbase Surveyors Limited
- Site** : Lots 59 RP (Part) and 60 RP (Part) in D.D. 135, Sheung Pak Nai and Ha Pak Nai, Yuen Long
- Site Area** : About 1,775m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Sheung Pak Nai and Ha Pak Nai Outline Zoning Plan (OZP) No. S/YL-PN/9
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Storage of Fertiliser and Food Processing Material for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed temporary storage of fertiliser and food processing material for a period of three years at the application site (the Site) zoned “AGR” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently hard-paved<sup>1</sup>, fenced off, largely vacant and partly occupied by some containers and miscellaneous items (**Plans A-3a to A-4b**).
- 1.2 According to the applicant, the application seeks to facilitate the relocation of a warehouse storage operation (under planning application No. A/YL-KTN/949<sup>2</sup>) which is affected by the government land resumption/clearance works under Northern Link (NOL) Main Line development. Thus, there is an imminent need for the operator to secure a relocation site for the affected operation.
- 1.3 The Site is accessible from Nim Wan Road via an access track with the ingress/egress located at its northern end (**Plan A-2**). As shown on the proposed layout plan at

---

<sup>1</sup> The Site has been formed/paved before the land filling restriction was incorporated for the “AGR” zone on the draft Sheung Pak Nai and Ha Pak Nai OZP No. S/YL-PN/7 gazetted on 29.4.2005 (**Plan A-3b**).

<sup>2</sup> Application No. A/YL-KTN/949 for proposed temporary storage of fertiliser and food processing material for a period of three years falling within an area zoned “Other Specified Uses” annotated “Railway Reserve” was approved by the Rural and New Town Planning Committee on 22.9.2023 and the planning permission is valid until 22.9.2026.

**Drawing A-2**, two single-storey structures about 8m in height with a total floor area of about 440m<sup>2</sup> are proposed for warehouses, for storage of fertiliser and food processing material. Two parking spaces for private cars and one loading/unloading space for light goods vehicles would be provided.

- 1.4 According to the applicant, the operation hours would be from 7:00 a.m. to 11:00p.m. from Mondays to Saturdays. There would be no operation on Sundays and public holidays. No further land filling is proposed and no excavation works or workshop activities will be carried out at the Site. No container vehicles, heavy goods vehicles and medium goods vehicles will be allowed to enter the Site.
- 1.5 The Site was involved in two previous planning applications (No. A/YL-HT/414 and A/YL-PN/41). The last previous application No. A/YL-PN/41, covering a similar extent of the Site and submitted by the same applicant of the current application for temporary warehouse for cleaning supplies and fertilisers was rejected by the Committee on 2.1.2015 (details at paragraph 5 below).
- 1.6 In support of the application, the applicant has submitted the following documents:
  - (a) Application Form with attachments received on 11.3.2026 (**Appendix I**)
  - (b) Further Information (FI) received on 8.4.2026\* (**Appendix Ia**)  
*\* accepted and exempted from 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 attachments to the Application Form and FI at **Appendices I and Ia**. They can be summarised as follows:

- (a) the current application is for facilitating the relocation of a storage operation (under planning application No. A/YL-KTN/949) affected by the government land resumption/clearance works under the NOL Main Line development;
- (b) the proposed use would not jeopardise the long-term planning intention of the “AGR” zone;
- (c) the stored materials would not generate odour affecting the surrounding environment;
- (d) the traffic generated by the proposed use would be minimal. Sufficient manoeuvring space would be provided to avoid vehicles turning back onto the local access. Hence, adverse traffic impact is not anticipated; and
- (e) no adverse drainage and environmental 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 Ordinance (TPB PG-No.

31B) by posting site notice and sending notification letter to the Ha Tsuen Rural Committee. Detailed information would be deposited at the meeting for Members' inspection.

#### **4. Background**

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

#### **5. Previous Applications**

5.1 The Site was, in part or in whole, involved in two previous applications for temporary racing circuit and warehouse uses. Details of these previous applications are summarised in **Appendix II** and their locations are shown on **Plan A-1**.

5.2 Application No. A/YL-HT/414 covering a much larger site, mostly in Ha Tsuen Fringe area, for temporary racing circuit for a period of three years was rejected by the Committee in 2005. The considerations for this previous application are not relevant to the current application which involves a different use.

5.3 Application No. A/YL-PN/41 for warehouse for cleaning supplies and fertilisers for a period of three years was rejected by the Committee on 2.1.2015 mainly on grounds of no strong justification had been provided for a departure from the planning intention; being not compatible with the rural environment and landscape character of the surrounding area; and setting of undesirable precedent.

#### **6. Similar Applications**

There is no similar application for temporary storage use within the same "AGR" zone in the past five years.

#### **7. The Site and Its Surrounding Areas (Plans A-3a, A-4a and A-4b)**

7.1 The Site is:

- (a) currently hard-paved, fenced off, largely vacant and partly occupied by some containers and miscellaneous items;
- (b) accessible via a local track from Nim Wan Road; and
- (c) situated within the Sheung Pak Nai Site of Archaeological Interest.

7.2 The surrounding areas are predominated by ponds, cultivated agricultural land, fish farm, scattered residential dwellings, and vacant and unused land. To the west of the Site are two sites under development for temporary place of recreation (hobby farm) and temporary public utility installation (solar photovoltaic system) both of which were approved under application No. A/YL-PN/85 and 87 in 2025 respectively.

## **8. Planning Intention**

The “AGR” zone is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

## **9. Comments from Relevant Government Bureau/Departments**

9.1 Apart from the government bureau/departments as set out in paragraph 9.2 below, other bureau/departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments are provided in **Appendices III and IV** respectively.

9.2 The following government bureau supports the application:

### **Policy Aspect**

9.2.1 Comments of the Secretary for Development (SDEV):

Given that the applicant of this planning application, i.e. Win Dragon Transportation Limited, was recorded in the Pre-clearance Survey of NOL Main Line, and comments from departments in resolving technical issues have been duly addressed, policy support is given to this application.

9.3 The following government department does not support the application:

### **Agriculture and Nature Conservation**

9.3.1 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

The Site falls within the “AGR” zone and is generally vacant. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. The subject site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc. As the Site possesses potential for agricultural rehabilitation, the proposed development is not supported from agricultural perspective.

## **10. Public Comments Received During the Statutory Publication Period**

On 20.3.2026, the application was published for public inspection. During the statutory public inspection period, two public comments from Kadoorie Farm & Botanic Garden Corporation and an individual were received (**Appendices V-1 and V-2**) objecting to the application mainly on the grounds that the proposed use is not in line with the planning intention of the “AGR” zone and there is no justification for approval; and raising query whether any enforcement action has been taken against the hard paving at the Site.

## **11. Planning Considerations and Assessments**

- 11.1 The application is for proposed temporary storage of fertiliser and food processing material for a period of three years at the Site zoned “AGR” on the OZP (**Plan A-1**). Although the proposed use is not in line with the planning intention of the “AGR” zone and DAFC does not support the application from the agricultural perspective, according to the applicant, the application seeks to facilitate the relocation of a storage operation (under planning application No. A/YL-KTN/949) which is affected by the NOL Main Line development. There is an imminent need for the operator to secure a relocation site for the affected operation and the applicant has undergone a thorough site-selection process before identifying the Site, with a site area (about 1,775m<sup>2</sup>) comparable to its current operations (i.e. about 1,716m<sup>2</sup>), as the most suitable relocation site. To facilitate the relocation of brownfield operators displaced by the NOL Main Line development and provide operating space for displaced brownfield operations still needed by the community, SDEV supports the application from policy perspective.
- 11.2 In view of the above and taking account of the assessments below, there is no objection to the application on temporary basis for a period of three years. Nonetheless, the Project Manager (West) of Civil Engineering and Development Department 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. 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.
- 11.3 The Site is located in an area predominated by ponds, cultivated agricultural land, fish farm, scattered residential dwellings, vacant and unused land. A temporary place of recreation, sports or culture (hobby farm) with ancillary facilities (No. Application A/YL-PN/85) and a temporary public utility installation (solar photovoltaic system) (Application No. A/YL-PN/87), both of which were approved in 2025 and currently under implementation, are located to the west of the Site. Considering the latest planning context and gradual change in the character of the surrounding areas with these approvals, the proposed use is considered not entirely incompatible with the surrounding areas. In this regard, the Chief Town Planner/Urban Design & Landscape of Planning Department has no comment from landscape planning perspective. As the Site is zoned “AGR”, an approval condition requiring the reinstatement of the site upon expiry of the planning permission so as to uphold the planning intention of the “AGR” zone and restore the greenery of the area is recommended should the Committee decide to approve the application.
- 11.4 Other concerned government departments consulted including the Commissioner for Transport, Director of Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department (CE/MN of DSD), and Director of Fire Services (D of FS) have no objection to or no adverse comment on the application from traffic, environmental, drainage and fire safety perspectives respectively. The technical requirements of CE/MN of DSD and D of FS could be addressed by implementation of approval conditions recommended in paragraph 12.2 below. To minimise any possible environmental nuisance, the applicant will also be advised to follow the

latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites'.

- 11.5 The Site is the subject of a previous rejected application (No. A/YL-PN/41) for temporary warehouse as detailed in paragraphs 5 above. However, taking into account the justifications provided by the applicant, policy support given by SDEV, and the assessments in paragraphs 11.3 and 11.4 above, approval of this application is not in conflict with the previous decision of the Committee.
- 11.6 Regarding the two public comments received as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.5 above are relevant.

## **12. Planning Department's Views**

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

### *Approval conditions*

- (a) the submission of a drainage proposal within **6 months** from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **8.11.2026**;
- (b) in relation to (a) above, the implementation of the drainage proposal within **9 months** from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **8.2.2027**;
- (c) in relation to (b) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (d) the submission of a fire service installations proposal within **6 months** from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **8.11.2026**;
- (e) in relation to (d) 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 **8.2.2027**;
- (f) if the above planning condition (c) 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;

- (g) if any of the above planning condition (a), (b), (d) or (e) 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; and
- (h) upon the expiry of the planning permission, the reinstatement and grassing of the application site to the satisfaction of the Director of Planning or of the Town Planning Board.

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 proposed use is not in line with the planning intention of the "AGR" zone, which is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. 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**

<b>Appendix I</b>	Application Form with Attachments received on 11.3.2026
<b>Appendix Ia</b>	FI received on 8.4.2026
<b>Appendix II</b>	Previous and Similar Applications
<b>Appendix III</b>	Government Departments' General Comments
<b>Appendix IV</b>	Recommended Advisory Clauses
<b>Appendices V-1 and V-2</b>	Public Comments Received During Statutory Publication Period
<b>Drawing A-1</b>	Location Plan
<b>Drawing A-2</b>	Layout Plan
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plans A-3a to A-3b</b>	Aerial Photos
<b>Plans A-4a to A-4b</b>	Site Photos

**PLANNING DEPARTMENT  
MAY 2026**