

**Town Planning Board Guidelines for
Application for Open Storage and Port Back-up Uses
(TPB PG-No.13G)**

1. On 14.4.2023, the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13G) were promulgated, which set out the following criteria for New Development Areas:
 - (a) The planning for various New Development Areas (NDAs) (including potential development areas) in the New Territories has been in progress and the land use proposals for some of these areas have been incorporated as appropriate into relevant statutory town plans. The NDAs will be implemented by phases. While it is envisaged that the existing open storage and port back-up uses in these areas will be gradually phased out, sympathetic consideration may be given to applications for continued operation of these uses during the interim period before the sites are required for NDA development.
 - (b) For existing open storage and port back-up sites with previous planning approval(s) and/or permitted under the previous OZPs, sympathetic consideration may be given to the application (irrespective of whether the application is submitted by the applicant of previous approval or a different applicant) until the concerned site is required for implementation of NDA development, provided that the relevant approval conditions, if any, have been complied with. Technical assessments, where appropriate, may also need to be submitted to demonstrate that the continued operation of the current uses would not have adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas and the concerns of the departments and local residents, if any, can be addressed through the implementation of the approval conditions.
 - (c) In view of the impending implementation of NDAs, new open storage and port back-up uses are generally not encouraged to infiltrate into the NDAs. However, sympathetic consideration may be given to applications for relocation of the uses/operations affected by government projects to sites designated for development purpose in NDAs (including those planned for GIC and open space developments) as temporary use/ development before these sites are required for NDA development, subject to policy support given by the relevant policy bureau(x) to the application and no adverse departmental comments and local objections, or the concerns could be addressed by approval conditions. There is a general presumption against such uses at sites with land use compatibility issue, e.g. in close proximity to existing residential dwellings which may be subject to environmental nuisances caused by the open storage and port back-up uses. Applications will normally be rejected unless under exceptional circumstances.
 - (d) Any approved temporary use and development should not jeopardize the long-term planned development on the respective site/the surrounding area under the NDA and the applicant should be advised that the site would be required by the government at any time during the planning approval period for implementation of government projects.

2. In assessing applications for open storage and port back-up uses, the other major relevant assessment criteria are also summarised as follows:
- (a) port back-up sites and those types of open storage generating adverse noise, air pollution and visual intrusion and frequent heavy vehicle traffic should not be located adjacent to sensitive receivers such as residential dwellings, hospitals, schools and other community facilities;
 - (b) port back-up uses are major generators of traffic, with container trailer/ tractor parks generating the highest traffic per unit area. In general, therefore, port back-up sites should have good access to the strategic road network, or be accessed by means of purpose built roads;
 - (c) adequate screening of sites through landscaping and/or fencing should be considered where sites are located adjacent to public roads or are visible from surrounding residential areas;
 - (d) there is a general presumption against conversion of active or good quality agricultural land and fish ponds to other uses on an ad-hoc basis. For flood prone areas or sites which would obstruct natural drainage channels and overland flow, advice should be sought;
 - (e) for applications involving sites with previous planning approvals, should there be no evidence to demonstrate that the applicants have made any genuine effort to comply with the approval conditions of the previous planning applications, the Board may refuse to grant permission, notwithstanding other criteria set out in this Guidelines are complied with; and
 - (f) having considered that the open storage and port back-up uses have a role to play in Hong Kong's economy and provide considerable employment opportunities, and the operators/uses affected by resumption and clearance operations of the Government to make way for developments may face difficulties in finding a replacement site, sympathetic consideration could be given to such type of applications, except those involving land in Category 4 area (only minor encroachment may be allowed), if the following criteria are met:
 - (i) policy support is given by the relevant bureau(x) to the application for relocation of the affected uses/operations to the concerned sites; and
 - (ii) no adverse departmental comments and local objections, or the concerns could be addressed by approval conditions.

Previous S.16 Application covering the Application Site

Approved Application

	<u>Application No.</u>	<u>Development(s)/Use(s)</u>	<u>Date of Consideration (RNTPC)</u>
1	A/YL-TT/617	Proposed Temporary Open Storage of Mobile Toilet for a Period of 3 Years and Associated Filling of Land	8.12.2023 [Revoked on 8.6.2024]

Similar Applications within the Subject “Agriculture” Zone on the Tai Tong Outline Zoning Plan in the Past Five Years

Approved Applications

	<u>Application No.</u>	<u>Development(s)/Use(s)</u>	<u>Date of Consideration (RNTPC)</u>
1	A/YL-TT/583	Proposed Temporary Vehicle Repair Workshop and Open Storage for a Period of 3 Years and Associated Filling of Land	23.6.2023 [Revoked on 23.12.2024]
2	A/YL-TT/642	Proposed Temporary Open Storage and Warehouse for Storage of Construction Materials for a Period of 3 Years and Filling of Land	24.5.2024 [Revoked on 24.11.2025]
3	A/YL-TT/675	Proposed Temporary Vehicle Repair Workshop and Open Storage for a Period of 3 Years and Associated Filling of Land	11.4.2025
4	A/YL-TT/695	Proposed Temporary Vehicle Repair Workshop and Open Storage for a Period of 3 Years and Associated Filling of Land	5.9.2025

Rejected Application

	<u>Application No.</u>	<u>Development(s)/Use(s)</u>	<u>Date of Consideration (RNTPC)</u>	<u>Rejection Reason(s)</u>
1	A/YL-TT/590	Proposed Temporary Public Vehicle Park and Open Storage of Agricultural and Construction Machinery and Materials for a Period of 3 Years and Associated Filling of Land	19.5.2023	(1), (2), (3)

Rejection Reason(s):

1. No strong justification provided to support a departure from the planning intention.
2. Not in line with the Town Planning Board Guidelines No. 13G for Application for Open Storage and Port Back-up Uses.
3. The applicant failed to demonstrate that the land filling was essential for the proposed use.

Government Departments' General Comments

1. Land Administration

Comments of the District Lands Officer/Yuen Long, Lands Department:

- No adverse comment on the application.
- Advisory comments as detailed in **Appendix V**.

2. Traffic

(a) Comments of the Commissioner for Transport:

- No adverse comment from traffic engineering perspective.
- Advisory comments as detailed in **Appendix V**.

(b) Comments of the Chief Highway Engineer/New Territories West, Highways Department:

- No adverse comment on the application from highways maintenance perspective.
- Advisory comments as detailed in **Appendix V**.

3. Environment

Comments of the Director of Environmental Protection:

- No objection to the application.
- No environmental complaint concerning the application site (the Site) was received in the past three years.
- Advisory comments as detailed in **Appendix V**.

4. Drainage

Comments of the Chief Engineer/Mainland North of Drainage Services Department:

- No objection to the application from the public drainage point of view provided that all existing drains/watercourse should be maintained and the overland flow from adjacent lands should not be affected.
- Should the application be approved, conditions should be stipulated in the approval letter requiring the applicants to submit a revised drainage proposal and to implement and maintain the proposed drainage facilities to the satisfaction of the Director of Drainage Services or of the Town Planning Board.
- Advisory comments as detailed in **Appendix V**.

5. Fire Safety

Comments of the Director of Fire Services:

- No in-principle objection to the proposal subject to the fire service installations and water supplies for firefighting being provided to the Site.
- Advisory comments as detailed in **Appendix V**.

6. Building Matters

Comments of the Chief Building Surveyor/New Territories West, Buildings Department:

- No objection to the application.
- Advisory comments as detailed in **Appendix V**.

7. District Officer's Comments

Comment of the District Officer (Yuen Long), Home Affairs Department:

His office has not received any comments on the application from the village representatives in the vicinity of the Site.

8. Other Departments

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

- Director of Electrical and Mechanical Services;
- Chief Engineer/Construction, Water Supplies Department;
- Project Manager (West), Civil Engineering and Development Department; and
- Commissioner of Police.

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) the planning permission is given to the development/use under application. It does not condone any other development/use (i.e. open storage of containers) which currently exists on the Site but not covered by the application. Immediate action should be taken to discontinue such development/use not covered by the permission;
- (c) should the applicants fail to comply with any of the approval conditions again resulting in the revocation of planning permission, sympathetic consideration may not be given to any further applications;
- (d) 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;
- (e) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
 - (i) the Site comprises 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;
 - (ii) Lots 1551 as well as 1552 and 1556 all in D.D. 118 are covered by Short Term Waiver (STW) Nos. 5700 and 5701 for Temporary Open Storage of Mobile Toilet and Ancillary Uses as may be approved by DLO; and
 - (iii) the STW holder will need to apply to LandsD for modification of the STW conditions where appropriate and the lot owner(s) without STW shall apply to LandsD for a STW to permit the structure(s) erected within the said private lot(s). The application(s) 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 subject to such terms and conditions including the payment of waiver fee and administrative fee as considered appropriate by LandsD. Besides, given the applied use is temporary in nature, only erection of temporary structure(s) will be considered;
- (f) to note the comments of the Commissioner for Transport that:
 - (i) the local track and footpath leading to the Site are not under Transport Department's purview. The applicant shall obtain consent of the owners/managing departments of the local track and footpath for using the local track and footpath as the access to the Site; and
 - (ii) sufficient manoeuvring space should be provided within the Site. No vehicles are allowed to queue back to public roads or reverse onto/from public roads;
- (g) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
 - (i) HyD should not be responsible for maintaining any access connecting the Site and Tai Shu Ha Road West; and

- (ii) adequate drainage measures should be provided to prevent surface water running from the Site to nearby public roads and drains;
- (h) to note the comments of the Director of Environmental Protection that:
- (i) to follow the relevant mitigation measures and requirements in the latest “Code of Practice on Handling the Environmental Aspects of Temporary uses and Open Storage Sites” issued by Environmental Protection Department to minimise the potential environmental nuisances on the surrounding areas; and
 - (ii) to provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the proposed use. If septic tank and soakaway system will be used in case of unavailability of public sewer, its design and construction shall follow the requirements of EPD’s Practice Note for Professional Person (ProPECC) PN 1/23 “Drainage Plans subject to Comment by the Environmental Protection Department” including completion of percolation test and certification by Authorized Person;
- (i) to note the comments of the Chief Engineer/Mainland North of Drainage Services Department (CE/MN, DSD) that:
- (i) drawing No. D01 — Catchpit should be provided at the turning point of the proposed u-channel (i.e. the turning point between CP3 and CP4, etc.).
 - (ii) drawing No. D01 — The size of the existing open channel as shown on the drainage plan (i.e. 2.5m(W) x 1.2m(D)) is not consistent with the connection details (i.e. 2m(W) x 1.2m(D)). Please review.
 - (iii) drawing No. D01 — Please indicate the location for cross sections A-A and B-B as shown in Drawing No. D03;
 - (iv) drawing No. D01 — The proposed 375mm dia. pipe should be connected to the existing 2.5m(W) x 1.2m(D) open channel at acute angle for better hydraulic performance.
 - (v) drawings No. D01-D03 — Please update the planning application no. A/YL-TT/617 at the bottom of the drawing to avoid confusion.
 - (vi) drawing No. D02 — Please indicate the area of each catchment.
 - (vii) please indicate the size/dimension and type of the discharge facilities from the Site to the nullah beside Tai Shu Ha Road East. Please also provide further site photos at critical locations such as turning point to demonstrate its presence.
 - (viii) the development should neither obstruct overland flow nor adversely affect the existing natural streams, village drains, ditches and the adjacent areas, etc.
 - (ix) the existing 2.5m(W) x 1.2m(D) open channel, to which the applicant proposed to discharge the stormwater from the Site was not maintained by his office. The applicant(s) shall resolve any conflict/disagreement arisen for discharging the runoff from the Site to the proposed discharge point(s). In the case that it is a local village drains, the District Officer (Yuen Long), Home Affairs Department should be consulted. Moreover, the applicant(s) should ensure that this drainage system and the existing downstream drains/channels/streams have adequate capacity to convey the additional runoff from the Site. Regular maintenance should be carried out by the applicant(s) to avoid blockage of

the system;

- (x) the applicant should resolve any conflict/disagreement with relevant lot owner(s) and seek permission from the DLO/YL, LandsD for laying new drains/channels and/or modifying/upgrading existing ones in other private lots or on Government Land, where required, outside the Site.
 - (xi) calculation for Catchment Area 1 + The Site - Please review the H value which should be the average slope (m per 100m), measured along the line of natural flow, from the summit of the catchment to the point under consideration (i.e. $\delta h / L \times 100$), instead of 1; and
 - (xii) please take into account the allowance for deposition of sediment in stormwater channels and pipes in accordance with Section 9.3 of Stormwater Drainage Manual.
- (j) to note the comments of the Director of Fire Services that:
- (i) the relevant layout plans should be incorporated with the proposed fire service installations (FSIs) to the Fire Services Department for approval;
 - (ii) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy, and the location of the proposed FSIs to be installed should be clearly marked on the layout plans; and
 - (iii) if the proposed structure(s) is required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans; and
- (k) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) 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;
 - (ii) 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;
 - (iii) for unauthorized building works (UBWs) erected on leased land, enforcement action may be taken by the 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;
 - (iv) three structures and associated filling of land are proposed in the application. Before any new building works (including containers/open shed as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the Building Authority should be obtained, otherwise they are UBW under the BO. An Authorized Person should be appointed as the coordinator for the proposed building works in accordance with the BO;
 - (v) any temporary shelters or converted containers for office, storage, washroom or other uses considered as temporary buildings are subject to the control of Part VII of the B(P)R; and

- (vi) detailed checking under the BO will be carried out at building plan submission stage.

Urgent Return receipt Expand Group Restricted Prevent Copy

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年04月14日星期二 3:39
收件者: tpbpd/PLAND
主旨: A/YL-TT/776 DD 118 Yuen Long
類別: Internet Email

Dear TPB Members,

756 deferred 23 Jan. Back with the relocation sob story. Are members that stupid to swallow the about turn?

If there are adults in the room the application should be rejected.

Recent world events have underlined the importance of preserving the dwindling stock of arable lots. The adminstraiton has a duty to forego its short sighted pursuit of expediency and concentrate on the long term interests of the community.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Tuesday, 23 December 2025 3:38 AM HKT
Subject: A/YL-TT/756 DD 118 Yuen Long

Dear TPB Members,

617 approved 8 Dec 2023. Conditions not fulfilled.

So back with another application with mobile toilets out and replaced with construction materials. This is not the same operation as that originally quoted in the relocation sob story. The support of Dev Bureau is therefore no longer relevant.

The Site falls within Category 3 so there is no justification to approve the application, particularly as the operator has failed to fulfill conditions.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Tuesday, 7 November 2023 3:01 AM HKT
Subject: A/YL-TT/617 DD 118 Yuen Long

Urgent Return receipt Expand Group Restricted Prevent Copy
A/YL-TT/617

Lots 1551, 1552, 1556 (Part) and 1557 (Part) in D.D. 118, Yuen Long

Site area: About 1,250sq.m

Zoning: "Agriculture"

Applied use: Open Storage of Mobile Toilet / 2 Vehicle Parking / **Filling of Land**

Dear TPB Members,

Strong Objections. No previous record of applications and the surrounding district is covered with slopes and burial grounds.

Applicant quotes approval of application 583, but this is pushing brownfield operations further into the Agriculture zone.

Applicant also quote affordability. But this cannot be a consideration when it comes to land use. If an operation is not viable then it closes down, this is what happens to countless retail and dining operations on a daily basis. That precious land resources be trashed to provide subsidized accommodation for brownfield operations is no longer justified.

The community was promised that redevelopment would upgrade NT, but now it appears that the intention is merely to relocate it to previously undisturbed locations.

Mary Mulvihill