

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/609

- Applicant** : Sunrise Pipe Machinery Limited represented by R-riches Planning Limited
- Site** : Lot 3265 RP (Part) in D.D. 129, Ha Tsuen, Yuen Long
- Site Area** : About 604m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Draft Hung Shui Kiu and Ha Tsuen (HSK and HT) Outline Zoning Plan (OZP)
No. S/HSK/3
(*currently in force and at the time of submission*)
- Zoning** : “Commercial (4)” (“C(4)”)
[Restricted to a maximum plot ratio of 3 and a maximum building height of 50mPD]
- Application** : Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary warehouse (excluding dangerous goods godown) with ancillary facilities for a period of three years at the application site (the Site) falling within an area zoned “C(4)” 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 at the Site requires planning permission from the Town Planning Board (the Board). The Site is currently occupied by the applied use without valid planning permission (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site is accessible from Ping Ha Road via a local track (**Drawing A-1 and Plan A-2**) with the ingress/egress point at the eastern part of the Site. According to the applicant, two one-to-two-storey temporary structures (about 7m in height) with a total floor area of about 310m² are used for warehouse and site office. One loading/unloading (L/UL) space for medium goods vehicle (MGV) (11m x 3.5m) is provided (**Drawing A-2**). The operation hours are from 8:00 a.m. to 6:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. Plans showing the vehicular access and layout of the Site submitted by the applicant are at **Drawings A-1 and A-2** respectively.

1.3 In support of the application, the applicant has submitted an Application Form with attachments received on 31.3.2026 (**Appendix I**).

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the attachment of the Application Form at **Appendix I**. They can be summarised as follows:

- (a) the applied use is to support the construction industry for the development in the New Territories and fulfill the demand for storage of construction materials and machinery. The applied use is temporary in nature and would not frustrate the long-term planning intention of the “C” zone;
- (b) the applied use is considered not incompatible with the surrounding areas which are mainly warehouses, logistics centres and open storage yards. There is a similar planning application No. A/HSK/538 (**Plan A-1**) for temporary warehouse use at the southwest of the Site approved by the Rural and New Town Planning Committee (the Committee) of the Board in 2025;
- (c) sufficient manoeuvring space is provided within the Site and no vehicle is allowed to turn back onto the local access, thus insignificant traffic impact is anticipated; and
- (d) the applicant will strictly comply with relevant environmental ordinances and follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (“CoP”) to minimise the potential adverse environmental impacts and nuisances to the surrounding areas.

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 Town Planning Ordinance (TPB PG-No. 31B) by posting site notice and sending notice to the Ha Tsuen Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

The Site is the subject of a planning enforcement case (No. E/YL-HSK/140) against an unauthorized development (UD) involving storage use (**Plan A-2**). Enforcement Notice (EN) was issued on 2.3.2026 requiring discontinuation of the UD by 2.6.2026. If the EN is not complied with, prosecution action would be considered.

5. Previous Application

The Site is not involved in any previous planning application.

6. Similar Applications

There are three similar applications (No. A/HSK/312, 334 and 538) involving temporary warehouse uses and/or logistics centre and open storage uses straddling the subject “C(4)” zone in the past five years. All of them were approved with conditions by the Committee between 2021 and 2025 mainly on considerations that the temporary use was not incompatible with the surrounding environment; being generally in line with the relevant TPB PG-No. 13 (for open storage use) and there were no major adverse comments from the concerned government departments. The planning permissions under Applications No. A/HSK/312 and 324 were subsequently revoked in 2023 due to non-compliance with time-limited approval conditions. Details of these applications are summarised at **Appendix II** 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) accessible from Ping Ha Road via a local track; and
- (b) currently occupied for the applied use without valid planning permission.

7.2 The surrounding areas are predominantly occupied by storage/open storage yards, logistics centres and warehouses intermixed with residential dwellings, vehicle repair workshops and vacant land. Some of these uses are covered by valid planning permissions.

8. Planning Intention

The planning intention of the “C” zone is primarily for commercial developments, which may include uses such as office, shop, services, place of entertainment, eating place and hotel, functioning as territorial business/financial centre and regional or district commercial/shopping centre.

9. Comments from Relevant Government Departments

All 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 in **Appendices III** and **IV** respectively.

10. Public Comments Received During Statutory Publication Period

On 10.4.2026, the application was published for public inspection. During the statutory public inspection period, five public comments were received (**Appendix V**). Among which, four comments from individuals support the application on the considerations that the application could secure jobs related to the logistics industry, fulfill the demand for storage and compatible with the surrounding land uses which are mainly brownfield operations. The remaining comment object to the application mainly on the grounds that the applied use is not compatible with the surroundings and not in line with the planning intention of the “C” zone.

11. Planning Considerations and Assessments

- 11.1 The application is for temporary warehouse (excluding dangerous goods godown) with ancillary facilities for a period three years at the Site zoned “C(4)” on the OZP. Whilst the applied use is not in line with the planning intention of the “C” zone, there is no known development proposal at the Site. The Project Manager (West) of Civil Engineering and Development Department advises that the Site falls within the study area of Lau Fau Shan Development and the implementation programme and land resumption/clearance programme are currently being reviewed under the relevant investigation study and subject to change. Approval of the application on temporary basis of three years would not jeopardise the long-term planning intention of the “C” zone. Nonetheless, 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.
- 11.2 The applied use is considered not incompatible with the surrounding areas which are predominantly occupied by storage/open storage yards, logistics centres and warehouses intermixed with residential dwellings, vehicle repair workshops and vacant land. Some of these uses are covered by valid planning permissions (**Plan A-2**).
- 11.3 Relevant government departments consulted including the Director of Environmental Protection, Commissioner for Transport, Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department have no objection to or no adverse comment on the application from environmental, traffic, fire safety and drainage perspectives respectively. To address the technical requirements of the concerned departments, relevant approval conditions are recommended in paragraph 12.2 below. Should the application be approved, the applicant will be advised to follow the latest “CoP” to minimise any potential environmental nuisances on the surrounding areas.
- 11.4 There are three similar applications straddling the same “C(4)” zone approved in the past five years as mentioned in paragraph 6 above. Approval of the current application is in line with the previous decisions of the Committee.
- 11.5 Regarding the public comments as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.4 above are relevant.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comments mentioned in paragraph 10, 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 **22.5.2029**. 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 planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **22.11.2026**;
- (b) in relation to (a) 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 **22.2.2027**;
- (c) in relation to (b) above, the implemented drainage facilities on the site 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 planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **22.11.2026**;
- (e) in relation to (d) 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 **22.2.2027**;
- (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; and
- (g) if any of the 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.

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 applied use is not in line with the planning intention of the "C" zone which is primarily for commercial developments, which may include uses such as office, shop, services, place of entertainment, eating place and hotel, functioning as territorial business/financial centre and regional or district commercial/shopping centre. 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

Appendix I	Application Form with Attachments received on 31.3.2026
Appendix II	Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comments
Drawing A-1	Location Plan
Drawing A-2	Layout Plan
Plan A-1	Location Plan with Similar Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4b	Site Photos

**PLANNING DEPARTMENT
MAY 2026**