

RNTPC Paper No. A/YL-HTF/1211
For Consideration by
the Rural and New Town
Planning Committee
on 22.5.2026

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-HTF/1211

- Applicant** : Koda International Holdings Limited 高達國際集團有限公司
represented by R-riches Planning Limited
- Site** : Lots 1363 RP (Part) and 1364 (Part) in D.D. 125 and adjoining
Government land (GL), Ha Tsuen, Yuen Long
- Site Area** : About 1,379m² (including GL of about 98m² or 7%)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ha Tsuen Fringe Outline Zoning Plan (OZP) No. S/YL-
HTF/12
- Zoning** : “Green Belt” (“GB”)
- Application** : Proposed Temporary Warehouse (Excluding Dangerous Goods Godown)
with Ancillary Facilities and Associated Filling of Land for a Period of 3
Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary warehouse (excluding dangerous goods godown) with ancillary facilities and associated filling of land for a period of three years at the application site (the Site) zoned “GB” on the OZP (**Plan A-1**). According to the Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years and filling of land within the “GB” zone require planning permission from the Town Planning Board (the Board). The Site is currently formed, vacant and fenced off. (**Plans A-2, A-3, A-4a and A-4b**).
- 1.2 According to the applicant¹, the application seeks to facilitate the relocation of warehouse operations at Hung Shui Kiu affected by the Second Phase Development of Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA). The original premises of the operator (with an area of about 2,584m²) has already been resumed by the Government under the land resumption and clearance exercise under the Second Phase Development of HSK/HT NDA.

¹ The applicant is the authorised representative of the affected brownfield operator, ~~the Champion Renewable Energy Company~~ Team Harvest Limited.

Thus, there is an imminent need for the applicant to secure a relocation site for the affected operations.

- 1.3 The Site is accessible from Ha Tsuen Road via an access track underneath the Kong Shum Western Highway (**Plans A-2 and A-3**). The ingress/egress is located at the north eastern tip of the Site. As shown on the proposed layout plan (**Drawing A-2**), three single-storey structures with a total floor area of not more than 545m² and building height of 8m are proposed for warehouse, site office and washroom. According to the applicant, the proposed warehouse will be fully enclosed and used for storage of construction materials and miscellaneous goods. The outdoor area will be used for vehicle parking and circulation. No dangerous goods will be stored and no workshop activities will be carried out at the Site. The operation hours will be from 9:00 a.m. to 7:00 p.m. from Mondays to Saturdays with no operation on Sundays and public holidays. Three parking spaces for private car and one loading/unloading space for heavy goods vehicle (HGV) will be provided at the Site.
- 1.4 According to the applicant and the submitted land filling plan at **Drawing A-4**, the applicant proposes to regularise the land filling works that had been undertaken at the Site and further fill the majority of the Site (area of about 1,367m², or about 99%) with a depth of not more than 0.2m (i.e. to 18.2mPD) using concrete to facilitate the site formation for structures, vehicle parking spaces and circulation area. According to the landscape proposal submitted by the applicant (**Drawing A-3**), 10 new trees are proposed as periphery planting along the northwestern boundary of the Site to minimise adverse landscape and visual impacts. The location plan, proposed layout plan, landscape proposal, land filling plan and swept path analysis plan submitted by the applicant are at **Drawings A-1 to A-5** respectively.
- 1.5 The major development parameters of the current application are summarised as follows:

Site Area	about 1,379m ²
Extent of Filling of Land	about 1,367m ² (i.e. about 99% of the Site with a depth of not more than 0.2m)
No. of Structures	3 (for warehouse, site office and washroom)
Total Floor Area	about 545m ²
Height of Structures	about 8m (1 storey)
Parking Spaces	3 for private cars (5m x 2.5m)
L/UL Spaces	1 for HGV (11m x 3.5m)
Operation Hours	9:00 a.m. to 7:00 p.m. from Mondays to Saturdays and no operation on Sundays and public holidays

- 1.6 In support of the application, the applicant submitted the following documents:

- | | | |
|-----|--|---------------|
| (a) | Application Form received on 31.3.2026 | (Appendix I) |
| (b) | Planning Statement | (Appendix Ia) |
| (c) | Further Information (FI) received on 5.5.2026* | (Appendix Ib) |
| (d) | FI received on 13.5.2026* | (Appendix Ic) |
| (e) | FI received on 18.5.2026* | (Appendix Id) |

** 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 Application Form with attachment and FIs at **Appendices I to Id** respectively. They can be summarised as follows:

- (a) The current application is for facilitating the relocation of a warehouse operation affected by the Second Phase Developments of HSK/HT NDA.
- (b) The applicant has conducted a comprehensive site search to identify a suitable site for relocation of the affected operation. The Site is considered flat with extensive uncovered area and not incompatible with the surrounding areas. While the site area is decreased by about 47% as compared with the original premises, the current application would almost compensate for the site area of the original premises in order to maintain the affected operation.
- (c) Planning permission for temporary warehouse and other uses (Application No. A/YL-HTF/1183) has been granted in the vicinity of the Site.
- (d) The Site is currently vacant, abandoned and without active agricultural activities. The current application is temporary in nature and will not frustrate the long-term planning intention of the Site.
- (e) No adverse traffic, environmental, landscape and drainage impacts are anticipated.

3. **Compliance with the “Owner’s Consent/Notification” Requirements**

The applicant is not the “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. For the GL portion, the requirements under TPB PG-No. 31B are not applicable.

4. **Background**

The Site is currently not subject to planning enforcement action.

5. Town Planning Board Guidelines

The Town Planning Board Guidelines for ‘Application for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 10) are relevant to the application. Relevant assessment criteria are at **Appendix II**.

6. Previous Application

Part of the Site was involved in a s.12A application (No. Y/YL-HTF/3) for rezoning the site from “GB” to “Government, Institution or Community” (“G/IC”) and area shown as ‘Road’ for temple and columbarium uses which was not agreed to by the Committee in 2019. The considerations of this application are not relevant to the current application, which involves a different use. Details of this application are summarised at **Appendix III** and the location is shown on **Plan A-1**.

7. Similar Application

There is one similar application (No. A/YL-HTF/1183) involving temporary warehouse for storage of construction materials and machineries, parking of special purpose vehicles and rural workshop with ancillary facilities with filling and excavation of land within the same “GB” zone. The application, which covered a site of about 4.1 ha., was approved with conditions by the Committee in 2025 mainly on considerations that the proposed use was not entirely incompatible with the surrounding areas; concerned government departments generally had no objection to the application; the technical concerns could be addressed by implementation of approval conditions and policy support was given by the Secretary for Development (SDEV). Details of the similar application are summarised at **Appendix III** and the location is shown on **Plan A-1**.

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

8.1 The Site is:

- (a) currently vacant, formed and fenced off;
- (b) located at the fringe of the “GB” zone bounded by the Kong Shum Western Highway; and
- (c) accessible from Ha Tsuen Road via an access track underneath the Kong Shum Western Highway.

8.2 The surrounding areas are predominated by unused land, farmland and ponds. To the southwest of the Site is the site of the approved similar application No. A/YL-HTF/1183 (detailed in paragraph 7 above), which is currently under implementation. To the further east of the Site within the boundary of HSK/HT NDA across Kong Sham Western Highway is a logistic centre. A Permitted Burial Ground is located about 40m to the west of the Site.

9. Planning Intention

- 9.1 The planning intention of the “GB” zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.
- 9.2 According to the Explanatory Statement of the OZP for the “GB” zone, as filling of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

10. Comments from Relevant Government Bureau/Departments

- 10.1 Apart from the government bureau/departments as set out in paragraphs 10.2 and 10.3 below, other 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 IV and V** respectively.
- 10.2 The following government bureau supports the application:

Policy Aspect

10.2.1 Comments of the SDEV:

- (a) the application is to facilitate relocation of brownfield operations providing warehouse previously located at Hung Shui Kiu. The brownfield operation has been affected by the Second Phase development of the Hung Shui Kiu/Ha Tsuen NDA;
- (b) according to the applicant, a site search was conducted with a view to identifying suitable site for re-establishment of the businesses elsewhere, and the Site under the current application is the most suitable site. The site area under the current application is smaller than the area of the original premises of the affected brownfield operation; and
- (c) subject to no adverse comments on land use compatibility and technical aspects from concerned departments, the application is supported from policy perspective.

- 10.3 The following government department has adverse comment on the application:

Land Administration

10.3.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

- (a) he has adverse comment on the application;

- (b) the Site comprises GL and Old Schedule Agricultural Lot(s) 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;
- (c) the GL within the Site (about 98m² as mentioned in the application form) has been fenced off / unlawfully occupied with unauthorised structure(s) without any permission. Any occupation of GL without Government's prior approval is an offence under Cap. 28 – Land (Miscellaneous Provisions) Ordinance. His office reserves the rights to take necessary land control action against the unlawful occupation of GL without further notice; and
- (d) should the planning application be approved, the applicant should note his advisory comments at **Appendix V**.

11. Public Comments Received During the Statutory Publication Period

On 10.4.2026, the application was published for public inspection. During the statutory public inspection period, two public comments from Kadoorie Farm and Botanic Garden and an individual was received (**Appendix VI**) objecting to the application mainly on the grounds that the proposed use is not in line with the planning intention of the “GB” zone; the Site may be involved in unauthorized development; there is no previous planning approval for the Site and no justification for approval; and adverse impact on the “GB” zone and the surrounding areas.

12. Planning Considerations and Assessments

12.1 The application is for proposed temporary warehouse (excluding dangerous goods godown) with ancillary facilities and associated filling of land at the Site zoned “GB” on the OZP (**Plan A-1**). While the proposed use with filling of land is not in line with the planning intention of the “GB” zone, the applicant is the representative of a brownfield operator whose operation is affected by the Second Phase Development of HSK/HT NDA and the original premises has already been resumed by the Government for the implementation of the HSK/HT NDA. The applicant states that it has conducted a comprehensive site search and the Site is identified as the most suitable relocation site, despite the size of the Site (i.e. about 1,379m²) is smaller than that of the affected operation (i.e. about 2,584m²) in Hung Shui Kiu. To facilitate the relocation of brownfield operators displaced by HSK/HT NDA Development, SDEV supports the application from policy perspective. In view of the above and taking into account the planning assessments below, there is no objection to the application on a temporary basis for a period of three years. 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 and land resumption/clearance programme is 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 be advised not to carry out any substantial works therein.

- 12.2 The applicant also proposes to regularise the land filling works that have already undertaken and further fill the majority of the Site (about 1,367m² or 99%) using concrete with a depth of not more than 0.2m (i.e. to a level of about 18.2mPD) to facilitate the site formation for the structures, vehicle parking spaces and circulation area. Filling of land within the “GB” zone requires planning permission from the Board as it may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. In this regard, the Chief Engineer/Mainland North of Drainage Services Department and the Director of Environmental Protection have no objection to the application from drainage and environmental perspectives respectively. As the Site is zoned “GB”, an approval condition requiring the reinstatement of the Site upon expiry of the planning permission so as to uphold the planning intention of the “GB” zone and restore the greenery of the area is recommended should the Committee decide to approve the application.
- 12.3 The Site is currently vacant, formed, fenced off and is located at the fringe of the “GB” zone bounded by the Kong Shum Western Highway. It is situated in an area of rural landscape predominated by unused land, farmland and ponds. To the southwest of the Site is the site of the approved similar application No. A/YL-HTF/1183 currently under implementation for temporary warehouse and other uses. On the landscape aspect, while no existing tree is observed within the Site, the applicant has submitted a landscape proposal which proposes to plant 10 new trees along the northwestern boundary to minimise the potential adverse impact from landscape and visual perspectives respectively. In this regard, CTP/UD&L, PlanD has no adverse comment on the landscape proposal from landscape planning perspective. The Director of Agriculture, Fisheries and Conservation also has no adverse comment from nature conservation perspective. Considering the latest overall land use context of the locality and the wider area, the proposed use with filling of land is considered not entirely incompatible with the surrounding areas.
- 12.4 According to TPB PG-No. 10, an application for new development in “GB” zone will only be considered in exceptional circumstances and must be justified with very strong planning grounds. In addition, the design and layout of any proposed development within the “GB” zone should be compatible with the surrounding areas; and the development should not involve extensive clearance of existing natural vegetation and affect the existing natural landscape. The issues of compatibility as well as impact on existing natural vegetation and landscape have been discussed in paragraph 12.3 above. As such, the application is generally considered not contravening TPB PG-No. 10.
- 12.5 Other relevant government departments, including the Commissioner for Transport and Director of Fire Services, have no objection to or no adverse comment on the application from traffic and fire safety perspectives respectively. To address the technical requirements of concerned government departments, appropriate approval conditions are recommended in paragraph 13.2 below.

Should the application be approved, the applicant will also be advised to follow the latest 'Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites' in order to minimise any possible environmental nuisance on the surrounding areas. Regarding DLO/YL, LandsD's concern on fencing off/ unlawfully occupying with unauthorised structure(s) within the GL, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.

- 12.6 The Committee has approved a similar application within the same "GB" zone in the past five years, as detailed in paragraph 7 above. Approval of the current application is in line with the previous decision of the Committee.
- 12.7 Regarding the public comments objecting to the application as summarised in paragraph 11 above, the assessment in paragraphs 12.1 to 12.6 are relevant.

13. Planning Department's Views

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11 above, PlanD has no objection to the application.
- 13.2 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 the 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 the 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 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 22.11.2026;
- (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 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;
- (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 expiry of the planning permission, the reinstatement of the application site, including the removal of fill materials and hard paving 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 V**.

- 13.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the proposed use with associated filling of land is not in line with the planning intention of the "GB" zone, which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl, as well as to provide passive recreational outlets. There is a general presumption against development within this zone. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 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.
- 14.3 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.

15. Attachments

Appendix I	Application Form with Attachments received on 31.3.2026
Appendix Ia	Planning Statement
Appendix Ib	FI received on 5.5.2026
Appendix Ic	FI received on 13.5.2026
Appendix Id	FI received on 18.5.2026

Appendix II	Relevant Extract of TPB PG-No. 10
Appendix III	Similar Application
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comment
Drawing A-1	Location Plan
Drawing A-2	Proposed Layout Plan
Drawing A-3	Landscape Proposal
Drawing A-4	Land Filling Plan
Drawing A-5	Swept Path Analysis Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
MAY 2026**