

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-KTS/574

- Applicant** : Able Delight Holdings Limited represented by R-riches Property Consultants Limited
- Site** : Various Lots in D.D. 91 and D.D. 100, Lin Tong Mei, Kwu Tung South, Sheung Shui
- Site Area** : 6,604m² (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kwu Tung South Outline Zoning Plan (OZP) No. S/NE-KTS/22
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land for a Period of Three 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), which falls within an area zoned “AGR” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). Filling of land in the “AGR” zone also requires planning permission from the Board. The Site is currently vacant and largely covered by weeds with some trees located within the Site (**Plan A-4**).
- 1.2 According to the applicant, the application is submitted on behalf of an affected brownfield operator, Elegant Logistics Group Limited, to facilitate relocation of its warehouse and open storage operation at a site with an area of about 6,173m² in Ha Tsuen, Yuen Long, which was affected by the government project in Hung

Shui Kiu, i.e. the Second Phase Development of Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA), and the land of the affected operation was resumed in August 2024.

- 1.3 The Site is accessible from Fan Kam Road via a local access (**Plans A-1 to A-3**), with a proposed ingress/egress of about 9m wide at the north-eastern corner of the Site. According to the applicant, the proposed use with a total floor area of about 4,134m² for storage of miscellaneous goods involves two single-storey structures, one with height of about 11m for warehouse, ancillary site office and washroom, and another with height of about 5m covered loading/unloading (L/UL) area (**Drawing A-1**). Five parking spaces for private car and three L/UL spaces (two for medium goods vehicle and one for container vehicle which will be partially covered) will be provided within the Site. The applicant also applies for proposed filling of land for about 6,554m² (about 99% of the Site) with concrete of not more than 2.3m in depth (to levels ranging from about 32.8mPD to 34.2mPD) for site formation of structures, parking and L/UL spaces and vehicular circulation (**Drawing A-3**). A 2.5m-high solid metal wall will be erected along the Site boundary to minimise noise nuisance to the surrounding areas. No workshop activities, storage of dangerous goods or open storage will be involved at the Site. 25 existing trees within the Site are proposed to be felled, and 25 new trees are proposed to be planted along the north-western, northern and north-eastern boundaries of the Site as compensation and buffer from the surrounding areas (**Drawing A-2**). Septic tank and soakaway system will be provided to collect sewage generated from the proposed use. Staff will be deployed at the ingress/egress of the Site to direct incoming/outgoing vehicles, and amber revolving lanterns and pedestrian signages will be installed at ingress/egress to enhance pedestrian safety. The operation hours will be between 7:00 a.m. to 7:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. Plans showing the site layout, landscape proposal and land filling area submitted by the applicant are at **Drawings A-1 to A-3** respectively.
- 1.4 The Site is the subject of a previous application No. A/NE-KTS/551 for the same use which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 6.6.2025 for a period of three years (details at paragraph 5 below). Comparing with the last application, the current application is submitted by a different applicant for the same use at the same site with the same development parameters.
- 1.5 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments and Supplementary Information (SI) received on 10.3.2026 and 13.3.2026 (**Appendix I**)
 - (b) Further Information (FI) received on 24.4.2026[#] (**Appendix Ia**)
 - (c) FI received on 8.5.2026* (**Appendix Ib**)
- [#] *accepted but not exempted from publication and recounting requirements*
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2. **Justifications from the Applicant**

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

- (a) The current application is submitted by Able Delight Holdings Limited on behalf of Elegant Logistics Group Limited to facilitate relocation of their warehouse and open storage operation in Ha Tsuen, Yuen Long which is affected by the Second Phase Development of HSK/HT NDA. As the land of the affected operation was resumed by the Government in August 2024, a suitable site for relocation is desperately needed to continue his business.
- (b) The affected operator has undergone a thorough site search process in the New Territories for relocation of the affected operation but could not identify other suitable sites due to land use incompatibility, environmental concerns, land ownership issue and poor accessibility. The Site with flat topography and good accessibility is considered the only suitable one. The proposed site area (about 6,604m²) and total floor area (about 4,134m²) are slightly larger than the original affected operation (warehouse and open storage uses) at Ha Tsuen with a site area of about 6,173m² and a total operation area of about 3,716m² to meet the latest operational needs. Despite an increase in site area and floor area as compared with those of the original site in Ha Tsuen, the operator intends to locate open storage activities at the proposed warehouse structures so as to minimise the potential visual, noise and air quality impacts to the surrounding areas. The uncovered portion of the Site will be reserved for vehicular circulation for efficient operation.
- (c) The surrounding areas are semi-rural in character and predominated by storage yards, shop and services, vacant land and temporary structures. The proposed use is considered not incompatible with the surrounding areas. It would not frustrate the long-term planning intention of the “AGR” zone whilst utilising vacant land in the New Territories.
- (d) The proposed filling of land is necessary to meet the operational needs. The operator undertakes to reinstate the Site to an amenity area upon expiry of the planning approval.
- (e) The proposed use will not result in adverse traffic impact on the surrounding road network as the vehicular trips generated/attracted by the proposed use are expected to be minimal. The traffic management measures of deploying staff to direct incoming/outgoing vehicles and installing amber revolving lanterns and pedestrian signages at the ingress/egress will be implemented.
- (f) The proposed use would not induce adverse environmental, fire safety, drainage and landscape impacts on the surrounding areas. The operator will strictly follow the revised ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ (‘CoP’) issued by the Environmental

Protection Department, the relevant environmental protection/pollution control ordinances and the Professional Persons Environmental Consultative Committee Practice Notes to minimise adverse environmental impacts during the construction and operation stages. Drainage and fire service installations proposals would be submitted and duly implemented upon approval of the application.

- (g) Upon approval of the application, the operator will follow up with the necessary applications for Short Term Waiver to the Lands Department as appropriate for implementing the proposed use.

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 Sheung Shui 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. The Site was the subject of two previous planning enforcement cases against unauthorized use for place for parking of vehicles (case No. E/NE-KTS/285) and unauthorized workshop use, storage use (including deposit of containers) and use for place for parking of vehicles (case No. E/NE-KTS/293) in 2023. It has been reinstated with Compliance Notices issued in 2024.

5. Previous Applications

- 5.1 The Site, in whole or in part, is the subject of five previous applications. Four of the previous applications covering larger site areas were rejected by the Committee between 1994 and 1999, including one application (No. A/DPA/NE-KTS/141) for residential development and three applications (No. A/NE-KTS/96, 102 and 117) for temporary golf driving-range. Considerations of these applications are not relevant to the current application due to the different uses involved.
- 5.2 The last previous application No. A/NE-KTS/551 was submitted by a different applicant for the same use at the same site with the same development parameters as the current application. This application was approved with conditions by the Committee on 6.6.2025, mainly on the considerations that SDEV supports the application to facilitate relocation of brownfield operation displaced by government project; the proposed use was not incompatible with the surrounding areas; and the relevant government departments consulted generally had no

adverse comment or their concerns and public comments could be addressed by approval conditions. The planning permission is valid till 6.6.2028.

- 5.3 Details of the previous applications are summarised in **Appendix II** and their locations are shown on **Plan A-1**.

6. Similar Application

There is no similar application within the same “AGR” zone in the vicinity of the Site in the past five years.

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

7.1 The Site is:

- (a) currently vacant and largely covered by weeds with some trees of common species; and
- (b) accessible from Fan Kam Road via a local access.

7.2 The immediate surrounding areas are rural in character with an intermix of storage yards, parking of vehicles, storage of construction materials, restaurant, vacant land and fallow and cultivated agricultural land. Located at about 100m to the west of the Site is the village settlement of Lin Tong Mei within “Village Type Development” zone and at about 80m to the south is the low-rise residential development namely Cadenza within “Residential (Group C)2” zone (**Plan A-2**). To the further south and southwest of the Site within the same “AGR” zone are mainly clusters of active farmland intermixed with woodland, vegetated vacant land and scattered residential/agricultural structures surrounding the village settlements of Chan Uk Po and Tsiu Keng Lo Wai (**Plan A-1**).

8. Planning Intention

8.1 The planning intention of the “AGR” zone is 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.

8.2 According to the Explanatory Statement of the OZP for the “AGR” zone, as filling of land may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities.

9. Comments from Relevant Government Bureau/Departments

9.1 Apart from the government bureau/departments as set out in paragraphs 9.2 and 9.3 below, other departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses, if any, are provided in **Appendices III and IV** respectively.

9.2 The following government bureau supports the application:

Policy Aspect

Comments from the Secretary for Development (SDEV):

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

9.3 The following government departments do not support the application:

Environment

9.3.1 Comments of the Director of Environmental Protection (DEP):

- (a) does not support the application from environmental perspective;
- (b) the proposed use will cause traffic of heavy vehicles in its operation and the Site boundary is within 100m from the nearest residential structure. It is anticipated that the proposed use would cause environmental nuisance to the residential structures nearby;
- (c) given no public sewerage connection is available in the vicinity of the Site, septic tank and soakaway system is an acceptable means for wastewater collection, treatment and disposal;
- (d) there was no environmental complaint related to the Site for the

past three years;

- (e) no comment on the proposed filling of land; and
- (f) advisory comments are at **Appendix IV**.

Agriculture

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

- (a) does not support the application from agricultural perspective as the Site possesses potential for agricultural rehabilitation; and
- (b) the Site falls within the “AGR” zone and is generally vacant. Agricultural infrastructures such as road access and water source are available in the area. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc.; and
- (c) advisory comments are at **Appendix IV**.

10. Public Comments Received During Statutory Publication Period

On 17.3.2026 and 5.5.2026, the application and FI were published for public inspection. During the statutory public inspection periods, ten objecting comments were received, including two from the same North District Council Member; two from the same Village Representative of Lin Tong Mei; one from a Lin Tong Mei villager; one from the Village Representative of Cheung Lek; and four from three individuals. The objecting comments are mainly on the grounds that the proposed use is not in line with the planning intention of the “AGR” zone; the proposed use would induce traffic congestion and pedestrian safety issues in the surrounding areas; the proposed use including the proposed filling of land would cause adverse environmental and drainage impacts and increase the risk of flooding; there is no justification for having brownfield operation at the Site; there are right-of-way issues with adjacent lots; the Site has the potential for agricultural rehabilitation; there are active agriculture activities at the Site; and the application, if approved, would set an undesirable precedent.

11. Planning Considerations and Assessments

11.1 The application is for proposed temporary warehouse (excluding dangerous goods godown) with ancillary facilities for a period of three years and associated filling of land at the Site zoned “AGR” (**Plan A-1**). Whilst the proposed use is not in line with the planning intention of the “AGR” zone and DAFC does not support the application from agricultural perspective, the application is to facilitate relocation of a brownfield operation in Ha Tsuen which is affected by the Second Phase Development of HSK/HT NDA and SDEV supports the application to

facilitate relocation of brownfield operation displaced by the said government project. Taking into account the above and the planning assessments below, there is no objection to the proposed use with associated filling of land on a temporary basis of three years.

- 11.2 Filling of land within the “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the adjacent areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department has no objection to the application from public drainage perspective and DEP has no comment on the proposed filling of land from environmental 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 in paragraph 12.2 below should the Committee decide to approve the application.
- 11.3 The Site is located away from and without direct interface with the active farmland clusters to the further south and southwest within the same “AGR” zone surrounding Chan Uk Po and Tsiu Keng Lo Wai (**Plan A-1**). Whilst the nearest residential development and village settlement are located in distances of about 80m to 100m to the south and west from the Site respectively (**Plan A-2**), the proposed use at the Site is considered not incompatible with the immediate surrounding areas which are rural in character with an intermix of storage yards, parking of vehicles, storage of construction materials, restaurant, vacant land and fallow and cultivated agricultural land (**Plan A-2**). The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective and considers that the proposed use is not incompatible with the setting in the proximity and significant adverse landscape impact arising from the proposed use is not anticipated.
- 11.4 Whilst considering the proposed septic tank and soakaway system as acceptable means for wastewater collection, treatment and disposal, DEP does not support the proposed use from environmental perspective as heavy vehicles are involved and there are residential structures in the vicinity of the Site. Nonetheless, there was no environmental complaint related to the Site for the past three years and the proposed ingress/egress at the north-eastern corner of the Site will allow the vehicles to travel to Fan Kam Road via only a short section of local access without passing through the residential development and village settlement located to the south and west of the Site. According to the applicant, no open storage or workshop activities will be involved and a 2.5m-high solid metal wall is proposed along the Site boundary to minimise noise nuisance to the surrounding areas. Besides, buffer planting of 25 trees will be provided along the north-western, northern and north-eastern boundaries near the proposed vehicular circulation space in the Site. Should the application be approved, the applicant will be advised to follow the revised ‘CoP’ to minimise any potential environmental nuisance caused by the proposed use. The operation of the proposed use will also

be subject to the relevant pollution control ordinances.

- 11.5 Other relevant government departments consulted, including the Commissioner for Transport and Director of Fire Services, have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, appropriate approval conditions are recommended in paragraph 12.2 below.
- 11.6 The Site is the subject of an approved previous application (No. A/NE-KTS/551) for the same use with the same development parameters at the same site as detailed in paragraph 5 above. Approval of the current application is in line with the previous decision of the Board.
- 11.7 Regarding the public comments on the right-of-way issue for lots adjacent to the Site as detailed in paragraph 10, the applicant indicates that the proposed use at the Site would not affect the current access of the concerned lots and the applicant will further liaise with the concerned lot owners to address the issue. The applicant will be advised to resolve the land issue with the concerned owners. For the other concerns in the public comments, the departmental comments and planning assessments 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, 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 5.6.2029. The following approval conditions 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 5.12.2026;
- (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 5.3.2027;
- (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 5.12.2026;

- (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 5.3.2027;
- (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 site, including the removal of hard paving and fill materials and grassing of the 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 with associated filling of land is not in line with the planning intention of the "Agriculture" zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other 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

Appendix I	Application Form with attachments and SI received on 10.3.2026 and 13.3.2026
Appendix Ia	FI received on 24.4.2026
Appendix Ib	FI received on 8.5.2026
Appendix II	Previous Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comments
Drawing A-1	Layout Plan
Drawing A-2	Landscape Proposal
Drawing A-3	Land Filling Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
JUNE 2026**