

Previous Application

Rejected Application

Application No.	Uses / Developments	Date of Consideration	Rejection Reasons
A/NE-MKT/29	Proposed Temporary Warehouse for Storage of Engineering Tools and Equipment for a Period of Three Years	10.11.2023	R1-R2

Rejection Reasons

- R1 The proposed use was not in line with the planning intention of the “Agriculture” zone, which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It was also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There was no strong planning justification in the submission to merit a departure from such planning intention, even on a temporary basis.
- R2 The applicant failed to demonstrate in the submission that the proposed use would not cause adverse environmental impact on the surrounding areas.

**Similar Applications for Temporary Warehouse
within/partly within the same “Agriculture” zone in the vicinity of the Application Site**

Approved Applications

Application No.	Uses / Developments	Date of Consideration
A/NE-MKT/34	Proposed Temporary Warehouse for Storage of Construction Materials for a Period of Three Years and Associated Filling of Land	20.9.2024 <i>(revoked on 20.9.2025)</i>
A/NE-MKT/35	Proposed Temporary Warehouse (Timber and Other Associated Materials) for a Period of Three Years and Associated Filling of Land	19.7.2024 <i>(revoked on 19.4.2026)</i>
A/NE-MKT/37	Proposed Temporary Warehouse for Storage of Food Provisions for a Period of Three Years and Associated Filling of Land	10.1.2025
A/NE-MKT/39	Proposed Temporary Warehouse for Storage of Construction Materials for a Period of Three Years and Associated Filling of Land	24.1.2025
A/NE-MKT/40	Proposed Temporary Warehouse for Storage of Construction Materials and Furniture for a Period of Three Years and Associated Filling of Land	2.5.2025 <i>(revoked on 2.5.2026)</i>
A/NE-MKT/46	Proposed Temporary Warehouse for Storage of Construction Materials for a Period of Three Years	18.7.2025
A/NE-MKT/55	Proposed Temporary Warehouse (Cold Store for Iced Poultry) and Shop and Services (Fresh Provision Shop) and Associated Filling of Land for a Period of Three Years	8.5.2026
A/NE-MKT/56 ¹	Proposed Temporary Warehouse for Storage of Car Parts and Associated Filling of Land for a Period of Three Years	6.2.2026
A/NE-MKT/61	Proposed Temporary Warehouse (Storage of Construction Materials) and Associated Filling of Land for a Period of Three Years	8.5.2026

Rejected Applications

Application No.	Uses / Developments	Date of Consideration	Rejection Reasons
A/NE-MKT/25 ¹	Temporary Open Storage and Warehouse for Construction Materials for a Period of Three Years and Filling of Land	11.9.2023	R1-R3
A/NE-MKT/26	Proposed Temporary Warehouse for Storage of Electronic Products and Open Storage of Packaging Tools for a Period of Three Years and Associated Filling of Land	1.12.2023 <i>(on review)</i>	R1-R2
A/NE-MKT/31	Proposed Temporary Logistics Warehouse (Excluding Dangerous Goods) and Ancillary Office for a Period of Three Years and Filling of Land	27.10.2023	R1-R3

Rejection Reasons

- R1 The proposed/applied use was not in line with the planning intention of the “Agriculture” zone, which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It was also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There was no strong planning justification in the submission to merit a departure from such planning intention, even on a temporary basis.
- R2 The applicant failed to demonstrate in the submission that the proposed/applied use would not cause adverse traffic, environmental, drainage, landscape and/or slope safety impacts on the surrounding areas.
- R3 The proposed use did not comply with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance in that no previous approval had been granted to the site and there were adverse departmental comments and local objections.

Remarks

- ¹ Application Nos. A/NE-MKT/25 and A/NE-MKT/56 largely involved the same site.

Government Departments' General Comments

1. Drainage

Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

- no objection to the application from public drainage perspective;
- should the application be approved, conditions should be included to request the applicant to submit and implement a revised drainage proposal for the application site (the Site) to ensure that it will not cause adverse drainage impact to the adjacent area, and the implemented drainage facilities at the Site shall be maintained at all times during the planning approval period; and
- her advisory comments on the application are at **Appendix V**.

2. Fire Safety

Comments of the Director of Fire Services (D of FS):

- no in-principle objection to the application subject to fire service installation and water supplies for firefighting being provided to his satisfaction; and
- his advisory comments on the application are at **Appendix V**.

3. Building Matters

Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- no objection to the application;
- as there is no record of approval granted by the Building Authority for the existing structures at the Site, he is not in a position to offer comments on their suitability for the use proposed in the application; and
- his advisory comments on the application are at **Appendix V**.

4. Environment

Comments of the Director of Environmental Protection (DEP):

- no objection to the application from environmental planning perspective since no heavy vehicle nor dusty operation is involved;
- no environmental complaint was received for the Site in the past three years; and
- his advisory comments on the application are at **Appendix V**.

5. Other Departments

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

- (a) Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
- (b) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- (c) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (d) Commissioner of Police (C of P);
- (e) Project Manager (North), CEDD (PM(N), CEDD); and
- (f) District Officer (North), Home Affairs Department (DO(N), HAD).

Recommended Advisory Clauses

- (a) failure to reinstate the application site (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;
- (b) to note the comments of the Commissioner for Transport (C for T) that the proposed vehicular access road between Lin Ma Hang Road and the Site is not managed by the Transport Department. The land status of the access road should be checked with the District Lands Officer/North, Lands Department (DLO/N, LandsD). Moreover, the management and maintenance responsibilities of the access road should be clarified with the relevant lands and maintenance authorities. Sufficient manoeuvring space shall be provided within the Site. No vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) to note the comments of DLO/N, LandsD that:
- (i) the following irregularity covered by the subject planning application has been detected by his office:
Unauthorised structure within Lot 580 RP in D.D. 90 covered by the application
LandsD has reservation on the planning application since there is an unauthorised structure on the private lot which is already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/regularise the lease breaches as demanded by LandsD;
- (ii) the following irregularity not covered by the subject planning application has been detected by his office:
Unauthorised structure(s) within Lot 584 in D.D. 90 not covered by the planning application
there is an unauthorised structure extended from Lot 584 in D.D. 90 not covered by the subject planning application. The lot owner(s) should immediately rectify/regularise the lease breaches and his office reserves the rights to take necessary lease enforcement action against the breaches without further notice;
- (iii) the lot owner(s)/applicant shall either remove the unauthorised structure(s) not covered by the subject planning application immediately, or include the unauthorised structure(s) in the subject planning application for the further consideration by the relevant departments, and subject to the approval of the Town Planning Board to the planning application which shall have reflected the rectification or amendment as aforesaid required, apply to his office for Short Term Waiver (STW) to permit the structure(s) erected. The application 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 on the whole lot basis and subject to such terms and conditions including the payment of waiver fee and administrative fee as considered appropriate to be imposed by LandsD. In addition, LandsD reserves the right to take enforcement action against the lot owner(s)/applicant for any breach of the lease conditions, including the breach(es) already in existence or to be detected at any point of time in future;
- (d) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:

- (i) the Site is located in an area where no public sewerage connection is available; and
- (ii) the applicant should be reminded of the following general requirements in the drainage proposal:
- surface channel with grating covers should be provided along the site boundary;
 - a drainage plan should be provided clearly showing the size, levels and routes of the proposed drainage. The details (invert level, gradient, general sections etc.) of the proposed drain/surface channel, catchpits and the discharge structure shall be provided;
 - the cover levels of proposed channels should be flush with the existing adjoining ground level;
 - a catchpit with covers should be provided where there is a change of direction of the channel/drain. The details of the catchpit with covers shall be provided;
 - catchpits with sand trap shall be provided at the outlets of the proposed drainage system. The details of the catchpit with sand trap should be provided;
 - the applicant should check and ensure that the existing drainage downstream to which the proposed connection will be made have adequate capacity and satisfactory condition to cater for the additional discharge from the Site. He/she should also ensure that the flow from the Site will not overload the existing drainage system;
 - where walls are erected or kerbs are laid along the site boundary, peripheral channels should be provided on both sides of the walls or kerbs, and/or adequate openings should be provided at the walls/kerbs to allow existing overland flow passing through the Site to be intercepted by the drainage system of the Site with details to be agreed by DSD, unless justified not necessary;
 - all existing flow paths as well as the run-off falling onto and passing through the Site should be intercepted and disposed of via proper discharge points. The applicant shall also ensure that no works, including any site formation works, shall be carried out as may adversely interfere with the free flow condition of the existing drains, channels and watercourses on or in the vicinity of the Site any time during or after the works;
 - the proposed drainage works, whether within or outside the Site, should be constructed and maintained properly by the applicant and rectify the system if it is found to be inadequate or ineffective during operation at his/her own expense;
 - for works to be undertaken outside the lot boundary, the applicant should obtain prior consent and agreement from DLO/N, LandsD and/or relevant private lot owners;
 - the applicant should make good all the adjacent affected areas upon the completion of the drainage works;
 - the applicant shall allow all time free access for the Government and its agent to conduct site inspection on his/her completed drainage works;
 - the applicant and the successive lot owners shall allow connections from the adjacent lots to the completed drainage works on GL when so required; and

- photos should be submitted clearly showing the current conditions of the area around the Site, the existing drainage/flowpaths around the Site, the proposed drainage from the Site to the downstream existing watercourse and the existing watercourse at about 20m intervals. The locations of the camera and the direction of each photo should also be indicated on a plan;

(e) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his office for approval. In addition, the applicant should note that:

- (i) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; and
- (ii) the location of where the proposed FSIs to be installed should be clearly marked on the layout plans;

if the proposed structures are required to comply with the Buildings Ordinance (BO), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;

(f) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:

- (i) it is noted that a structure is proposed at the Site. Before any new building works are to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained, otherwise they are unauthorised building works (UBW) under the BO. An Authorised Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO; and

(ii) the applicant's attention is drawn to the following points:

- 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;
- 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;
- if any existing structure is erected on leased land without the approval of the BA, they are UBW under the BO and should not be designated for any approved use under the captioned application;
- for UBW erected on leased land, enforcement action may be taken by 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;
- before any new building works (including containers/open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the BA should be obtained, otherwise they are UBW under the BO. An AP should be appointed as the coordinator for the proposed building works in accordance with the BO;

- any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings are subject to the control of Part VII of the B(P)R;
 - the 5.2m high warehouse is considered excessive. It should be justified upon formal plan submission to BD; and
 - detailed checking under the BO will be carried out at building plan submission stage;
- (g) to note the comments of the Director of Environmental Protection (DEP) that the applicant should observe the requirements of the ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’; and if toilets are proposed, to provide suitable sewage treatment facilities as required under Professional Persons Environmental Consultative Committee Practice Note (ProPECC PN) 1/23 ‘Drainage Plans subject to Comment by the Environmental Protection Department’ and are duly certified by an AP or employ licensed waste collector to regularly collect and properly dispose of the sewage collected in the proposed toilet;
- (h) to note the comments of the Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD) that the applicant should be reminded to submit the proposed building works to BD for approval as required under the provisions of the BO;
- (i) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD):
- (i) the proposed access to the Site will pass through a strip of land between the run-in/out of Lin Ma Hang Road and the Site, which is not maintained by HyD; and
 - (ii) adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public road and drains; and
- (j) to note the comments of the Project Manager (North), CEDD (PM(N), CEDD) that the proposed use is located within the proposed New Territories North (NTN) New Town under the Planning & Engineering (P&E) Study for NTN New Town and Man Kam To. The preliminary development proposal for NTN New Town was released in December 2024. While the implementation programme of NTN New Town is being formulated under the P&E Study, the site formation works will likely commence soon after the completion of detailed design in next stage. Hence, subject to the land use planning in the P&E Study, the proposed use may need to be vacated for the site formation works.

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To : Secretary, Town Planning Board

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax : 2877 0245 or 2522 8426

By e-mail : tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates

A/NE-MKT/62

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

此申請地段位置亦在木湖村附近，會
對本村生態環境衛生十分大影響，對
葉麻坑路交通負荷更大，對村民出入造成
危險。本村村民一致反對

「提意見人」姓名/名稱 Name of person/company making this comment

木湖村代表
村代表 李福良

簽署 Signature

~~李福良~~
李福良

日期 Date

4-5-2026

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

2

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A/NE-MKT/62

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

反對因上述貼近民居，時常發出噪音，又
對附近做成交通繁忙，影響居民安
全。

「提意見人」姓名/名稱 Name of person/company making this comment

鄭錦富

簽署 Signature

鄭錦富

日期 Date

4-5-2026

打鼓嶺鄉事會木湖村居民代表

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk



To : Secretary, Town Planning Board

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有關的規劃申請編號 The application no. to which the comment relates

A/NE-MKT/62

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

Handwritten signature on lined paper

「提意見人」姓名/名稱 Name of person/company making this comment

侯志強議員

簽署 Signature

Handwritten signature

日期 Date

2026.4.27

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年05月08日星期五 0:55
收件者: tpbpd/PLAND
主旨: A/NE-MKT/62 DD 90 Lin Ma Hang Road
類別: Internet Email

A/NE-MKT/62

Lot 580 (Part) in D.D. 90, Lin Ma Hang Road, Man Kam To, Ta Kwu Ling North

Site area: About 395sq.m

Zoning: "Agriculture"

Applied use: Warehouse Construction Materials / 2 Vehicle Parking

Dear TPB Members,

Application 26 for Open Storage was rejected 20 Nov 2023. There is no justification for any deviation from the decision.

Note that Applicant has obviously no intention of providing adequate fire and drainage installations, stating that no wastewater will be generated.

The application should be rejected.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Tuesday, 4 July 2023 3:00 AM HKT
Subject: A/NE-MKT/629 DD 90 Lin Ma Hang Road

A/NE-MKT/629 Correction A/NE-MKT/29

Lot 580 (Part) in D.D. 90, Lin Ma Hang Road, Man Kam To, Ta Kwu Ling North

Site area : About 395sq.m

Zoning : "Agriculture"

Urgent Return receipt Expand Group Restricted Prevent Copy Confidential
Applied use : Storage Construction Materials / 3 Vehicle Parking

Dear TPB Members,

Strong Objections. Lin Ma Hang Road must not become a replica of Kam Shan Road, rows of ramshackle, rusting sheds leaking toxins.

Members must resist pressure to create a new brownfield node with all the baggage it brings.

Mary Mulvihill

Urgent Return receipt Expand Group Restricted Prevent Copy Confidential

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tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年05月08日星期五 13:30
收件者: tpbpd/PLAND
主旨: KFBG's comments on four planning applications
附件: 260508 s16 KTN 1230.pdf; 260508 s16 MKT 63.pdf; 260508 s16 TKL 838.pdf; 260508 s16 MKT 62.pdf
類別: Internet Email

Dear Sir/ Madam,

Attached please see our comments regarding four applications. There are four pdf files attached to this email. If you cannot see/ download/ open these files, please notify us through email.

Please do not disclose our email address.

Thank You and Best Regards,

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden

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嘉道理農場暨植物園公司
Kadoorie Farm & Botanic Garden Corporation

The Secretary,
Town Planning Board,
15/F, North Point Government Offices,
333, Java Road, North Point,
Hong Kong.
(Email: tpbpd@pland.gov.hk)

8th May, 2026.

By email only

Dear Sir/ Madam,

**Proposed Temporary Warehouse (Storage of Construction Materials) for a Period of
3 Years (A/NE-MKT/62)**

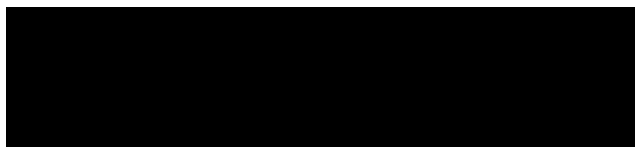
1. We refer to the captioned.
2. There is a rejected application covering the current application site and the reasons for rejection (A/NE-MKT/29; Temporary Warehouse for Storage of Construction Material for a Period of 3 Years) are reproduced below.

(a) the proposed development 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. It is also 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 such planning intention, even on a temporary basis; and

(b) the applicant fail to demonstrate that the proposed development would not generate adverse environmental impact on the surrounding areas.

3. The site is within Agriculture (AGR) zone and the proposed use is unlikely to be in line with the planning intention of AGR zone. We urge the Board to reject this application.
4. Thank you for your attention.

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden



tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年04月29日星期三 12:10
收件者: tpbpd/PLAND
主旨: s16 A_NE-MKT_62 WWF 20260429
附件: s16_A_NE-MKT_62 20260429 WWF.pdf
類別: Internet Email

Dear Sir/Madame,

Attached please find our submission regarding the planning application A/NE-MKT/62.

Thank you for your attention.

Yours faithfully,
Mr. Tobi Lau
Senior Manager, HK Biodiversity and Conservation Policy
WWF-Hong Kong

Registered Name 註冊名稱: World Wide Fund For Nature Hong Kong 世界自然(香港)基金會 (Incorporated in Hong Kong with limited liability by guarantee 於香港註冊成立的擔保有限公司). This email (including any attachments) is intended for the use of the designated recipient(s) only, which may contain confidential, non-public, proprietary information, and/or be protected by the attorney-client or other privilege. Any unauthorized reading, distribution, copying, or other use of this communication is strictly prohibited and may be unlawful. Receipt by anyone other than the intended recipient(s) should not be deemed a waiver of any privilege or protection. If you are not the intended recipient or believe you have received this email in error, please notify the sender immediately and delete this email from your computer system. This email and any attachments are checked for viruses and other malicious software ("malware"). However, the sender does not warrant, represent, or guarantee in any way that this communication is free from malware or potentially damaging defects. The sender disclaims all liability for any errors, omissions, or damages arising out of or in connection with the use or reliance on the information contained in this email.



29 Apr 2026

Town Planning Board
15/F North Point Government Offices
333 Java Road
North Point
Hong Kong
(Email: tpbpd@pland.gov.hk)

By E-mail ONLY

Dear Chair and Board Members,

RE: Proposed Temporary Warehouse (Storage of Construction Materials) for a Period of 3 Years in an "AGR" zone in Lin Ma hang in Ta Kwu Ling (A/NE-MKT/62)

We would like to show concern to the captioned.

Suspected unlawful development within the application site

Compared to Google's aerial images taken in 2000 to 2024, the land uses of the application site have been changed to open storage and vehicle park without any planning permission granted (Fig 1). While we do not have updated land use status nor whether suspected unlawful change of land use is underway at the application site, it would be grateful if the Town Planning Board request relevant government departments to investigate any illegal land use/development occurred in relation with the application site. If that were the case, we would like to ask the Town Planning Board to reject the application so as not to legitimate such unlawful habitat destruction ahead of town planning approval granted.

We would be grateful if our comment could be considered by the Town Planning Board.

Kind regards,

Mr. Tobi Lau
Senior Manager, HK Biodiversity and Conservation Policy
WWF Hong Kong



together possible™

Figure 1. Aerial views of application site in 2000, 2015, 2017 and 2024



Image source: Google Earth (Accessed on 29 Apr 2026)