

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-TKL/830

- Applicant** : Tung On Hong represented by Metro Planning & Development Company Limited
- Site** : Lot 184 RP (Part) in D.D. 79, Ping Yeung, Ta Kwu Ling
- Site Area** : About 555m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ping Che and Ta Kwu Ling Outline Zoning Plan (OZP)
No. S/NE-TKL/14
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Warehouse for Storage of Tea Leaves 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 for storage of tea leaves and associated filling of land for a period of three years at the application site (the Site) falling within an area zoned “AGR” 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 “AGR” zone require planning permission from the Town Planning Board (the Board). The Site is largely vacant and partly covered by vegetation.
- 1.2 According to the applicant, the current application is to facilitate the relocation of the business operation in Tong Yan San Tsuen affected by government project, i.e. the development of Yuen Long South New Development Area (YLS NDA). The applicant was informed by the Lands Department to relocate his business operation in Tong Yan San Tsuen by November 2025.
- 1.3 The Site is accessible via a local track leading to Ping Yuen Road (**Plan A-2**). According to the applicant, the proposed use comprises four single-storey structures of not more than 8.5m in height with a total floor area of not more than 380m² for warehouses storing tea leaves and a toilet. One loading/unloading space for goods vans (3.5m (W) x 7m (L)) is proposed within the Site. No dangerous goods will be stored and no workshop activities will be carried out at the Site. The applicant proposes traffic management measures including installation of revolving lanterns to warn the pedestrian of vehicles. Also, the applicant applies for filling of land at the entire Site with concrete of about 0.2m in depth for site formation. The operation hours are between 9:00 a.m. and 7:00 p.m. from

Mondays to Saturdays, with no operations on Sundays and public holidays. The layout plan and land filling plan submitted by the applicant are shown in **Drawings A-1** and **A-2** respectively.

1.4 In support of the application, the applicant has submitted the following documents:

- | | |
|--|----------------------|
| (a) Application Form with Attachments received on 6.1.2026 | (Appendix I) |
| (b) Further Information (FI) received on 3.2.2026* | (Appendix Ia) |
| (c) FI received on 20.4.2026* | (Appendix Ib) |

**accepted and exempted from publication and recounting requirements*

1.5 On 27.2.2026, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer making a decision on the application for two months as requested by the applicant.

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**, as summarised below:

- (a) the application is submitted to facilitate the relocation of business operation affected by YLS NDA. The applicant has spent efforts in identifying suitable sites for relocation in Ta Kwu Ling and Tai Tong areas, but they were considered not suitable due to various reasons such as excessive site area, rent and accessibility. The Site, which has a similar site area to the affected premises (about 770m²), is considered suitable for relocation. The applicant is a supplier of tea leaves in Hong Kong and successful relocation would help support the sustainable supply of tea leaves in Hong Kong;
- (b) the proposed use is not incompatible with the surrounding environment. There are similar precedents of approval within the “AGR” zone in the North District. Also, the Site has been vacant for a long period of time and it has not been rehabilitated for agricultural activities. The proposed use is temporary in nature and will not jeopardise the long-term planning intention of “AGR” zone;
- (c) no staff will station at the Site and no visitors will be allowed. The proposed use would induce minimal traffic impact;
- (d) no adverse environmental and visual impacts would be generated and impact on the nearby residents is minimal. The applicant will follow the relevant mitigation measures and requirements in the ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ (‘COP’) and will implement relevant mitigation measures listed in the Recommended Pollution Control Clauses for Construction Contracts issued by the Environmental Protection Department; and
- (e) the applicant will further liaise with the responsible parties to seek their agreements for the vehicular access leading to the Site. The applicant will carry out precautionary measures during implementation of the proposed use such as providing sand bags surrounding the Site to prevent pollution. All the drivers of the vehicles will be reminded to take care of the pedestrians and villagers and keep a low speed between the Site and Ping Yuen Road.

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 obtaining consent of the “current land owner”. 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.

5. **Previous Application**

The Site is not subject to any previous application.

6. **Similar Applications**

6.1 There are three similar applications (No. A/NE-TKL/702, 767 and 809) involving two sites for temporary warehouse with/without ancillary open storage within the same “AGR” zone in the vicinity of the Site in the past five years. All of them were approved with conditions by the Committee for a period of three years between 2022 and 2025 mainly on the considerations that there were no major adverse departmental comments or the concerns of the relevant government departments could be addressed through imposition of approval conditions; and/or policy support was obtained as the application was to facilitate relocation of business operation affect by government project.

6.2 Details of the similar 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) largely vacant and partly covered by vegetation; and
- (b) accessible via a local track leading to Ping Yuen Road.

7.2 The surrounding areas are of rural character comprising mainly warehouses, parking of vehicles, domestic structures, a plant nursery and vacant land. The village cluster of Ping Yeung within the “Village Type Development” zone is located to the north of the Site. A “Green Belt” (“GB”) zone is located to the immediate east of the Site.

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, as filling of land within the “AGR” zone 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 and departments as set out in paragraphs 9.2 to 9.4 below, other government 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 at **Appendices III** and **IV** respectively.

- 9.2 The following government bureau supports the application:

9.2.1 Comments of the Secretary for Development (SDEV):

- (a) the application is to facilitate the relocation of the applicant’s warehouse and storage for tea leaves business at the Government land under Short Term Tenancy in D.D. 121 which is affected by implementation of YLS NDA;
- (b) according to the applicant, a site search was conducted with a view to identifying a suitable site for re-establishment of the affected business operation, and that the Site is considered the most suitable for the relocation; and
- (c) subject to no adverse comments on land use compatibility and technical aspects from relevant departments, the application is supported from the policy perspective.

- 9.3 The following government department does not support the application:

Agriculture

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

- (a) the application is not supported from the agricultural perspective; and
- (b) the Site falls within an area zoned “AGR” and is generally abandoned. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc. The Site possesses potential for agricultural rehabilitation.

9.4 The following government department provides views on the application:

Traffic

9.4.1 Comments of the Commissioner for Transport (C for T):

- (a) she has no comment on the application;
- (b) considering the road safety and road management, it is suggested to impose the approval conditions on the implementation and maintenance of traffic management measures as proposed by the applicant; and
- (c) her advisory comments are at **Appendix IV**.

10. Public Comments Received During Statutory Publication Period

On 13.1.2026, the application was published for public inspection. During the statutory public inspection period, 61 public comments were received, including two from the Village Representatives of Ping Yeung, 57 standard letters from villagers of Ping Yeung conveyed by the District Officer/North of Home Affairs Department and village office of Ping Yeung, an individual and Kadoorie Farm and Botanic Garden Corporation (**Appendix V**). All of them object to the application mainly on the grounds that the proposed use would induce adverse environmental and drainage impacts as well as affect the daily life and safety of villagers; the owner's consent to use the local access leading to the Site has not been obtained; the proposed use should be relocated to Category 1 or 2 areas under the relevant Town Planning Board Guidelines; there is no previous approval at the Site; the Site is adjacent to "GB" zone; approval of the application would encourage further extension of brownfield operation in the area; there is no justification for approval; and the proposed use is not in line with the planning intention of the "AGR" zone.

11. Planning Considerations and Assessments

11.1 The application is for proposed temporary warehouse for storage of tea leaves and associated filling of land for a period of three years at the Site falling within an area zoned "AGR" on the OZP. 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 as the Site possesses potential for agricultural rehabilitation. According to the applicant, the Site is considered suitable for relocation of the business operation affected by YLS NDA development. In this regard, SDEV advises that the application is to facilitate the relocation of the applicant's warehouse and storage for tea leaves business affected by implementation of YLS NDA, and subject to no adverse comments on land use compatibility and technical aspects from relevant departments, the application is supported from the policy perspective. Taking into account the planning assessments below and the policy support rendered by SDEV, there is no objection to the proposed use with associated filling of land on a temporary basis of three years.

11.2 The application involves filling of land at the entire Site with concrete of not more than 0.2m in depth for site formation. 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 (CE/MN, DSD) has no objection to the application from public drainage viewpoint while the Director of Environmental Protection (DEP) has no adverse comment on the proposed associated filling of land subject to the implementation of mitigation measures as listed in the Recommended Pollution Control Clauses for Construction Contracts. In this regard, the applicant advises that relevant mitigation measures will be implemented. 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 “AGR” zone and restore the greenery of the area is recommended should the Committee approve the application.

- 11.3 The Site is located in an area of rural character comprising mainly warehouses, parking of vehicles, domestic structures, a plant nursery and vacant land. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective, and advises that the proposed use is considered not entirely incompatible with the landscape character of its surroundings and significant adverse landscape impact arising from the application is not anticipated.
- 11.4 Other relevant government departments consulted, including DEP and Director of Fire Services, have no objection to or no adverse comment on the application. While C for T has no comment on the application, she recommends imposing approval conditions on the implementation and maintenance of traffic management measures, as proposed by the applicant, in consideration of road safety and road management. To address the technical requirements of other concerned government departments, relevant approval conditions are recommended in paragraph 12.2 below. Should the application be approved, the applicant will be advised to follow ‘COP’ to minimise any possible environmental nuisance.
- 11.5 There are three similar approved applications for temporary warehouse for a period of three years falling within the same “AGR” zone in the vicinity of the Site in the past five years as mentioned in paragraph 6.1 above. The planning circumstances of the current application are largely similar to those of the approved similar applications. Approval of the current application is in line with the Committee’s previous decisions.
- 11.6 Regarding the public comments on the application as detailed in paragraph 10, comments from the government bureau and departments and planning assessments above are relevant. Regarding the concerns on environmental and drainage impacts, the applicant undertakes to carry out precautionary measures during the implementation of the proposed use to prevent pollution. DEP and CE/MN, DSD have no objection to the application. Approval conditions on drainage aspect are recommended and DEP’s comments are included in the Recommend Advisory Clauses at **Appendix IV**. The applicant is also advised to liaise with the concerned owner(s) regarding the access road to the Site.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments in paragraph 10 above, 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 conditions of approval and advisory clauses are 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 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) the implementation of the traffic management measures, as proposed by the applicant, within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board by 5.3.2027;
- (g) in relation to (f) above, the implemented traffic management measures shall be maintained at all times during the planning approval period;
- (h) if any of the above planning condition (c) or (g) 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;
- (i) if any of the above planning condition (a), (b), (d), (e) or (f) 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
- (j) upon expiry of the planning permission, the reinstatement of the Site, including the removal of fill materials and hard-paving, 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 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 "AGR" 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 the 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 6.1.2026
Appendix Ia	FI received on 3.2.2026
Appendix Ib	FI received on 20.4.2026
Appendix II	Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comments
Drawing A-1	Layout Plan
Drawing A-2	Land Filling Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4b	Site Photos

**PLANNING DEPARTMENT
JUNE 2026**