

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-HTF/1210

- Applicant** : First Champion Limited represented by R-riches Planning Limited
- Site** : Lot 385 RP (Part) in D.D. 128 and Adjoining Government Land (GL), Ha Tsuen, Yuen Long, New Territories
- Site Area** : About 3,514m² (including GL of about 147m², or 4%)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ha Tsuen Fringe Outline Zoning Plan (OZP) No. S/YL-HTF/12
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Facilities with 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 with associated filling of land for a period of three years at the application site (the Site) zoned “AGR” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). According to the Notes of the OZP for the “AGR” zone, filling of land also requires planning permission from the Board. The Site is currently vacant and partly covered by vegetation including some scattered trees (**Plans A-2, A-4a and A-4b**).
- 1.2 According to the applicant, the application is to facilitate the relocation of a portion of an existing open storage and storage operation spanning a total area of about 27,176m² at various lots in D.D. 124, Hung Shui Kiu affected by the land resumption and clearance exercise under the Second Phase Development of the Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA). Thus, there is an imminent need for the applicant to secure a relocation site to continue the affected operation.

- 1.3 The Site is accessible via a local track leading from Kai Pak Ling Road and the ingress/egress is located at the eastern tip of the Site (**Plan A-2 and Drawing A-1**). As shown on the proposed layout plan (**Drawing A-2**), a single-storey structure with a floor area of 1,970m² and building height from 5m to 11m are proposed for warehouse, office, washroom and rain shelter. According to the applicant, the proposed warehouse will be used for storage of construction materials and machinery. The remaining area is for circulation, vehicle parking and loading/unloading (L/UL) spaces. Four parking spaces for private cars, one L/UL space for light goods vehicle (LGV) and one L/UL space for heavy goods vehicle (HGV) will be provided. The operation hours are between 8 a.m. and 7 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays.
- 1.4 As shown on the land filling plan at **Drawing A-3**, the applicant proposes to fill the entire Site (3,514m²) with concrete of about 0.2m in depth to facilitate the site formation of structure and provision of vehicular parking and circulation spaces. While nine trees (including three dead trees) will be felled/removed, the applicant will plant nine new trees to mitigate the potential landscape impact. The location plan, proposed layout plan, land filling plan and landscape plan submitted by the applicant are at **Drawings A-1 to A-4** respectively.
- 1.5 The major development parameters of the current application are summarised as follows:

Site Area	about 3,514m ² (including GL of about 147m ²)
Extent of Filling of Land	about 3,514m ² (i.e. the entire Site, with a depth of not more than 0.2m)
Total Floor Area	about 1,970m ²
No. of Structure	1 (for storage, office, washroom and rain shelter)
Height of Structure	5m – 11m (1 storey)
Parking Space	4 for private car (5m x 2.5m)
L/UL Space	1 for LGV (7m x 3.5m) 1 for HGV (11m x 3.5m)
Operation Hours	8:00 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 8.4.2026 **(Appendix I)**
 - (b) Planning Statement **(Appendix Ia)**
 - (c) Further Information (FI) received on 15.5.2026* **(Appendix Ib)**
 - (d) FI received on 26.5.2026* **(Appendix Ic)**
 - (e) FI received on 29.5.2026* **(Appendix Id)**
*[*accepted and exempted from publication]*

requirements]

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Planning Statement and FIs at **Appendices Ia to Id**. They can be summarised as follows:

- (a) The current application aims to facilitate the relocation of an existing open storage and storage operation (i.e. Sum Kee Metal Company Limited¹) affected by the Second Phase Development of the HSK/HT NDA.
- (b) The applicant has conducted an extensive site search to identify a suitable site for relocation of the affected operation. Applications No. A/YL-HTF/1133 and 1166 covering largely the same site² for relocation of five affected operations (including Sum Kee Metal Company Limited) were subsequently submitted by the applicant and approved by the Rural and New Town Planning Committee (the Committee) of the Board (**Drawing A-5**). However, under application No. A/YL-HTF/1166, due to various land administration issues, the area designated for Sum Kee Metal Company Limited was reduced by about 5,478m² as compared with application No. A/YL-HTF/1133. With a site area of about 3,514m², the current application intends to compensate for such reduction in area.
- (c) The applicant intends to mitigate the potential adverse environmental impacts that would arise from the existing open storage operation at Hung Shui Kiu through the transformation from open storage to warehouse operations with proper implementation of the development scheme under the current application.
- (d) The Site is considered the most suitable relocation site as it is relatively flat, easily accessible and in close proximity to the originally planned relocation site for reprovisioning Sum Kee Metal Company Limited under applications No. A/YL-HTF/1133 and 1166.
- (e) The proposed development is not incompatible with the surrounding areas.
- (f) No adverse traffic, environmental, drainage, landscape and archaeological impacts are anticipated.
- (g) Approval of the application on a temporary basis will not frustrate the long-term planning intention of the “AGR” zone.

¹ The applicant is the authorised representative of Sum Kee Metal Company Limited.

² As compared with application No. A/YL-HTF/1133, application No. A/YL-HTF/1166 involves a reduction in site area (about 5,986m² or 7%) and an increased extent of land filling (about 11,238m² or 23%). The site area dedicated for Sum Kee Metal Company Limited was reduced from about 25,745m² under application No. A/YL-HTF/1133 to about 20,267m² under application No. A/YL-HTF/1166.

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 registered post to the Ha Tsuen Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection. The “Owner’s Consent/Notification” Requirements under TPB PG-No. 31B” are not applicable to the GL portion.

4. **Background**

The Site is currently not subject to active planning enforcement action.

5. **Previous Applications**

5.1 The Site was involved in two previous applications (No. A/YL-HT/414 and A/YL-HTF/1179). Details of these previous applications are summarised at **Appendix II** and the locations are shown on **Plan A-1**.

5.2 Application No. A/YL-HT/414, covering a much larger area, for temporary racing circuit use was rejected by the Committee in 2005. The considerations of this application are not relevant to the current application which involves a different use.

5.3 Application No. A/YL-HTF/1179, covering the same Site for temporary open storage of construction materials and machinery submitted by the same applicant, was approved with conditions in 2024. The considerations of this application are not relevant to the current application which involves a different use. The planning permission is valid until 20.12.2027.

6. **Similar Applications**

There are eight similar applications (No. A/YL-HTF/1141, 1150, 1158, 1190, 1197, 1201, 1202 and 1209) involving warehouse/godown uses with/without filling of land within the same “AGR” zone in the past five years. All of them were approved with conditions by the Committee between 2022 and 2026 mainly on similar considerations that the proposed use was not entirely incompatible with the surrounding areas; concerned government departments generally had no objection to the application and the technical concerns could be addressed by implementation of approval conditions. Applications No. A/YL-HTF/1158, 1197, 1201 and 1202 had also obtained policy support from the Secretary for Development (SDEV) as they were for accommodating brownfield operations affected by the development of New Development Area(s). The planning permissions under application No. A/YL-HTF/1141, 1150 and 1158 were subsequently revoked between 2024 and 2025 due to non-compliance with time-limited approval conditions. Details of these 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) vacant and partly covered by vegetation including some scattered trees;
- (b) accessible via a local track leading from Kai Pak Ling Road; and
- (c) situated within the Fu Tei Au Site of Archaeological Interest (SAI).

7.2 The surrounding areas are predominated by vacant/unused land, residential dwellings, areas used for storage/open storage and parking of vehicles. To the west of the Site is a temporary open storage and storage yard (about 7.8 hectare in area) covered by valid planning permission under application No. A/YL-HTF/1166 currently under implementation.

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 to 9.4 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 III and IV** respectively.

9.2 The following government bureau supports the application:

Policy Support

9.2.1 Comments of the SDEV:

- (a) the application is to facilitate relocation of a brownfield operation providing storage/open storage operation 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) it is noted that the applicant had previously submitted applications No. A/YL-HTF/1133 and 1166 for relocating the majority portion of the original premises. According to the applicant, a site search was conducted with a view to identifying suitable site for relocating the remaining portion. The site under the current application is the most suitable relocation site and it also involves a previously approved application No. A/YL-HTF/1179 with policy support to facilitate the relocation; and
- (c) subject to no adverse comments on land use compatibility and technical aspects from concerned departments, the application is supported from the policy perspective.

9.3 The following government bureau provides comment on the application:

9.3.1 Comments of the Antiquities and Monuments Office, Development Bureau (AMO, DEVB):

- (a) the Site falls within the Fu Tei Au SAI. According to the applicant's submission, the proposed catchpits are partly deeper than the filled layer and the remaining drainage facilities will be built within the filled layer;
- (b) the applicant is advised to construct all drainage facilities within the filled layer as appropriate. As such, the following planning conditions should be incorporated:
 - (i) to submit the drainage proposal to the satisfaction of the Director of Drainage Services and the Chief Heritage Executive (Antiquities and Monuments) of AMO or of the Town Planning Board; and
 - (ii) the implementation of the drainage proposal to the satisfaction of the Director of Drainage Services and the Chief Heritage Executive (Antiquities and Monuments) of AMO or of the Town Planning Board;
- (c) the applicant should notify AMO two weeks before the commencement of drainage works for arranging site inspection in the course of excavation; and
- (d) the applicant should note his advisory comments at **Appendix IV**.

9.4 The following government departments do not support the application:

Agriculture and Nature Conservation

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

- (a) the Site falls within the “AGR” zone and is generally vacant. 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. As the Site possesses potential for agricultural rehabilitation, the proposed development is not supported from agricultural perspective; and
- (b) he has no objection to the application from nature conservation perspective. The Site is about 70m from the Shenzhen Bay Bridge Egrettry (**Plan A-2**). The applicant should note his advisory comments at **Appendix IV**.

Environment

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

- (a) the proposed use would generate traffic of heavy vehicles and there is a residential dwelling within 100m from the Site (located about 90m to its northwest) (**Plan A-2**). According to the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites”, he does not support the application from environmental planning perspective;
- (b) he has no comment on the proposed filling of land from environmental perspective;
- (c) there was no substantiated environmental complaint pertaining to the Site in the past three years; and
- (d) the applicant should note his advisory comments at **Appendix IV**.

10. Public Comment Received During the Statutory Publication Period

On 14.4.2026, the application was published for public inspection. During the statutory public inspection period, one public comment from an individual was received (**Appendix V**) objecting to the application mainly on the grounds that the approval conditions of the previous application had not been complied with; and the Site is near burial ground.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary warehouse (excluding dangerous goods godown) with ancillary facilities with associated filling of land for a period of three years at the Site zoned “AGR” on the OZP. While the proposed use is not in line with the planning intention of the “AGR” zone and DAFC does not support the application from the agricultural perspective, according to the applicant, the application is to facilitate the relocation of a portion of an existing business operation affected by the Second Phase Development of HSK/HT NDA. The Site is located in close proximity to another relocation site covered by approved application No. A/YL-HTF/1166 currently under implementation for accommodating the same affected business operation. The size of the Site (i.e. about 3,514m²) is smaller than its existing operation (i.e. about 27,176m²) in Hung Shui Kiu and generally comparable to the originally planned area being excluded under application No. A/YL-HTF/1166 as compared to application No. A/YL-HTF/1133 (i.e. about 5,478m²) due to land administrative issues. The applicant states that he has conducted a site search and the Site is identified as the most suitable relocation site to compensate for the reduction in site area from application No. A/YL-HTF/1166. To facilitate the relocation of brownfield operation displaced by the 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.
- 11.2 The applicant also proposes to fill the entire Site with concrete with a depth of not more than 0.2m. 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 drainage perspective, and DEP has no comment on the 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 should the Committee decide to approve the application.
- 11.3 The Site is situated in an area of rural coastal plain landscape character characterised by temporary structures and tree clusters. To its west is a site about 7.8 ha in area under implementation for temporary open storage and storage uses under application No. A/YL-HTF/1166 approved by the Committee in March 2024. Considering the overall landscape context of the surrounding environment, the proposed use is considered not entirely incompatible with the surrounding areas. While nine existing trees (including three dead trees) at the Site are proposed to be felled, the applicant has submitted a landscape plan with provision of nine new trees to mitigate the landscape impact. As no distinctive landscape resources are found within the Site, no significant adverse landscape impact arising from the proposed use is anticipated. In this regard, the Chief Town Planner/Urban Design & Landscape of Planning Department has no adverse comment on the application from landscape planning point of view.

- 11.4 Other relevant government bureau / departments consulted, including the Commissioner for Transport and Director of Fire Services and AMO of DEVB have no objection to or no adverse comment on the application from traffic, fire safety and archaeological perspectives respectively. DEP does not support the application as there are sensitive receivers of residential use in the vicinity of the Site and the proposed use will cause traffic of heavy vehicles, hence environmental nuisance is expected. In this regard, should the application be approved, the applicant will 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. Furthermore, to address the technical requirements of concerned government departments, appropriate approval conditions are recommended in paragraph 12.2 below.
- 11.5 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.
- 11.6 The Committee has approved eight similar applications within the “AGR” zone in the past five years as mentioned in paragraph 6 above. Approval of this application is in line with the previous decisions of the Committee.
- 11.7 Regarding the public comment objecting to the application as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.6 above are relevant. Furthermore, the Site is not within any permitted burial ground.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comment mentioned in paragraph 10 above, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of three years until 5.6.2029. 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 and the Chief Heritage Executive (Antiquities and Monuments) of Antiquities and Monuments Office 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 the planning approval to the satisfaction of the Director of Drainage Services and the Chief Heritage Executive (Antiquities and Monuments) of Antiquities and Monuments Office 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 the 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 the 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 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 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 "AGR" zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. No strong planning justification has been given 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 received on 8.4.2026
Appendix Ia	Planning Statement
Appendix Ib	FI received on 15.5.2026
Appendix Ic	FI received on 26.5.2026
Appendix Id	FI received on 29.5.2026
Appendix II	Previous and Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment
Drawing A-1	Location Plan
Drawing A-2	Proposed Layout Plan
Drawing A-3	Proposed Land Filling Plan
Drawing A-4	Landscape Plan
Drawing A-5	Location Plan of the Original Relocation Site for the Concerned Operation
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
JUNE 2026**