

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-TT/737

- Applicant** : Gold Tide Limited represented by R-riches Planning Limited
- Site** : Lots 1937 (Part) and 1938 in D.D. 118, Tai Tong, Yuen Long, New Territories
- Site Area** : 2,109 m² (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/20
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary warehouse (excluding dangerous goods godown) with ancillary facilities and associated filling of land for a period of three years at the application site (the Site) 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 buildings 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 currently vacant, partly vegetated and partly paved, and occupied by some temporary structures (**Plan A-4**).
- 1.2 The Site is accessible from Tai Shu Ha Road East via a local track with an ingress/egress point at the northwest (**Drawing A-1** and **Plan A-2**). The proposal consists of one single-storey (about 9m in height) warehouse cum site office with washroom with a total floor area of not more than 1,806 m² for storage of miscellaneous goods (including packaged food, apparel and footwear) (**Drawing A-2**). Two parking spaces for private cars (5m x 2.5m) and two loading/unloading spaces for light goods vehicles (7m x 3.5m) will be provided within the proposed warehouse. No storage of dangerous goods would be carried out on the Site and no workshop activities will be carried out at the Site. The operation hours are from 9:00 a.m. to 7:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays.

- 1.3 The applicant also seeks permission for filling an area of about 2,040 m² (i.e. about 96.7% of the Site), including (i) to fill the northern and northeastern portions (about 437 m² or 20.7% of the Site) and (ii) to regularise the land filling which has already been undertaken at the remaining portion of the proposed land filling area (about 1,603 m² or 76% of the Site) with concrete of about 0.2m in depth to facilitate the site formation and circulation (**Drawing A-3**). To mitigate the potential landscape impact and compensate for the trees affected by the development, 15 new trees will be planted along the southeast periphery to compensate for the 15 trees proposed to be felled (**Drawing A-4**). Plans showing the vehicular access, site layout, land filling area, swept path analysis and landscape proposal submitted by the applicant are at **Drawings A-1 to A-5** respectively.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 10.9.2025 (**Appendix I**)
 - (b) Further Information (FI) received on 7.1.2026* (**Appendix Ia**)
 - (c) FI received on 16.4.2026# (**Appendix Ib**)
**accepted and exempted from publication and recounting requirements*
#accepted but not exempted from publication and recounting requirements
- 1.5 On 7.11.2025 and 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 each 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 with attachments and FIs at **Appendices I to Ib**. They can be summarised as follows:

- (a) there is a pressing demand for indoor storage space in the New Territories in recent years. The proposal would support the local warehousing and storage industry;
- (b) the proposed use with a low-rise structure is considered not incompatible with the surrounding areas;
- (c) approval of the application on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone;
- (d) similar applications were approved by the Board within the same “AGR” zone; and
- (e) the applicant will follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (“CoP”) and relevant environmental protection/pollution control ordinances to minimise any potential environmental impacts on the surrounding areas.

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 Shap Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Background**

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

5. **Previous Applications**

The Site is the subject of two previous applications (No. A/YL-TT/68 and 336) for temporary open storage of construction materials for a period of three years which were rejected by the Board upon review on 9.6.2000 and 23.1.2015 respectively. Considerations of these two previous applications are not relevant to the current application which involves a different use. Details of these previous applications are summarised at **Appendix II** and their locations are shown on **Plan A-1b**.

6. **Similar Applications**

6.1 There are 13 similar applications (No. A/YL-TT/575, 608, 651, 671, 695, 717, 739, 741, 755, 757, 766, 775 and 782) for temporary warehouse for a period of three years with/without associated filling of land within the same “AGR” zone in the past five years. All the applications were approved with conditions by the Committee between 2022 and 2024 mainly on the considerations that the temporary use would not jeopardise the long-term planning intention of the “AGR” zone; being not incompatible with the surrounding uses; having policy support from the Secretary of Development (for applications No. A/YL-TT/575, 608, 651, 755 and 757) and the departmental concerns could be addressed by implementation of approval conditions. Details of the applications are summarised in **Appendix II** and the locations of the sites are shown on **Plan A-1a**.

6.2 For Members’ information, planning applications No. A/YL-TT/758 and 759 for warehouse use within the subject “AGR” zone will be considered at this meeting (**Plan A-1a**).

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

7.1 The Site is:

- (a) currently vacant, partly vegetated and partly paved, and occupied by some temporary structures; and
- (b) accessible from Tai Shu Ha Road East via a local track.

- 7.2 The surrounding areas are rural in character comprising predominantly storage/open storage yards, farmland, residential dwellings and vacant/unused land.

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 may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities in the subject “AGR” zone.

9. Comments from Relevant Government Departments

- 9.1 Apart from the government departments as set out in paragraph 9.2 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 are provided in **Appendices III** and **IV** respectively.
- 9.2 The following government departments have reservation on or do not support the application:

Land Administrative

- 9.2.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):
- (a) the Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government;
 - (b) his office has reservation on the planning application since there is/are unauthorized structure(s) and/or uses on Lots 1937 (Part) and 1938 in D.D. 116 which are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularisation on the lease breaches as demanded by LandsD;
 - (c) if the planning application is approved, the lot owner(s) shall apply to LandsD for a Short Term Waiver (STW) to permit the structure(s) erect within the private lot(s). The application(s) for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that the application(s) will be approved. The STW, if approved, will be subject to such terms and conditions including the payment of waiver fee, rent and administrative fee as considered appropriate by LandsD. Besides, given that the proposal is temporary in nature, only erection of temporary structure(s) will be

considered; and

- (d) his detailed advisory comments are at **Appendix IV**.

Agriculture and Nature Conservation

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

- (a) the Site falls within the “AGR” zone and is generally vacant with some structures. There are active agricultural activities 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 greenhouses and plant nurseries, etc. As the Site possesses potential for agricultural rehabilitation, the proposed use is not supported from agricultural perspective; and
- (b) no adverse comment from nature conservation perspective.

10. Public Comments Received During the Statutory Publication Periods

On 19.9.2025, and 24.4.2026, the application and relevant FI were published for public inspection. During the statutory public inspection periods, a total of six public comments from five individuals were received objecting to the application mainly on the ground that the unauthorised open storage use has existed on the Site since 2014 without enforcement action being taken; the application is to legitimise existing brownfield use; inadequate growing space for the proposed new trees; the proposed use is incompatible with the surroundings; potential adverse environmental, ecological and traffic impacts on the surrounding areas; and setting of undesirable precedent (**Appendices V-a to V-f**).

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary warehouse (excluding dangerous goods godown) with ancillary facilities and 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 agricultural perspective, taking into account 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 The applicant also seeks permission for filling an area of about 2,040 m² (i.e. about 96.7% of the Site) with concrete of about 0.2m in depth to facilitate the site formation and circulation. 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 and Director of Environmental Protection have no objection to the application from drainage and environmental perspectives respectively. 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 proposed use is considered not incompatible with the surrounding areas comprising predominantly storage/open storage yards, farmland, residential dwellings and vacant/unused land (**Plan A-2**). To mitigate the potential landscape impact and compensate for the trees affected by the development, the applicant has submitted a landscape proposal and proposed to plant 15 new trees within the Site (**Drawing A-4**). In this regard, the Chief Town Planner/Urban Design & Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning point of view.
- 11.4 Other concerned government departments consulted, including the Commissioner for Transport, Director of Fire Services and DAFC have no objection to or no adverse comment on the application from traffic, fire safety and nature conservation aspects respectively. Should the application be approved, relevant approval conditions are recommended in paragraph 12.2 below to address the technical requirements of concerned government departments. Furthermore, the applicant will be advised to follow the latest “CoP” to minimise potential environmental nuisances on the surrounding areas. Regarding DLO/YL, LandsD’s concern on the unauthorised structure(s) erected within the Site, the applicant will be advised to liaise with LandsD on land administration matters should the Committee approve the application.
- 11.5 There are 13 approved similar applications between 2022 and 2026 as mentioned in paragraph 6 above. Approval of the current application is in line with the previous decisions of the Committee.
- 11.6 Regarding the public comments as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.5 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 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 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 application site, including the removal of fill materials and hard paving and grassing of the application site to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory clauses

The recommended advisory clauses are 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. 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 with attachments received on 10.9.2025
Appendix Ia	FI received on 7.1.2026
Appendix Ib	FI received on 16.4.2026
Appendix II	Previous and Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendices V-a to V-f	Public Comments
Drawing A-1	Vehicular Access Plan
Drawing A-2	Site Layout Plan
Drawing A-3	Land Filling Plan
Drawing A-4	Swept Path Analysis
Drawing A-5	Landscape Proposal
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
JUNE 2026**