

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-FTA/277

- Applicant** : Mr. LIU Chun Ho represented by Mr. PANG Hing Yeun
- Site** : Lots 201 S.A, 201 RP and 202 RP (Part) in D.D. 52, Sheung Shui Wa Shan North Section, New Territories
- Site Area** : About 402m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Fu Tei Au and Sha Ling Outline Zoning Plan (OZP) No. S/NE-FTA/18
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Warehouse for Storage of Construction Materials with Ancillary Office 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 construction materials with ancillary office 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 partly fenced-off and generally vacant, with a minor portion currently hard-paved¹ (**Plans A-4a to A-4d**).
- 1.2 The Site is abutting a local track to the immediate north leading to Man Kam To Road (**Plan A-2**). According to the applicant, the proposed use consists of a two-storey temporary structure with a building height of not more than 5.2m and a total floor area of about 371.6m² for warehouse for storage of construction materials (e.g. iron frames, timber, plastic pipes, screws, tiles, etc.) and ancillary office use. Two parking spaces for private cars (5m (L) x 2.5m (W)) and one loading/unloading space for light goods vehicle (7m (L) x 3.5m (W)) will be provided at the Site. A 3.5m-wide ingress/egress for vehicles is proposed at the northern boundary of the Site. A 2m high fence will be erected along the boundaries of the Site. The operation hours are between 10:00 a.m. and 5:30 p.m.

¹ The concerned portion of the Site (i.e. Lot 202 RP in D.D 52) is the subject of a previously approved application No. A/NE-FTA/164 for a New Territories Exempted House (Small House) which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 11.11.2016 (**Plan A-2**).

from Mondays to Saturdays, with no operation on Sundays and public holidays. No workshop activities will be carried out at the Site at any time during the planning approval period. The layout plan submitted by the applicant is shown in **Drawing A-1**.

- 1.3 The applicant also applies for filling of land of the entire site with concrete to a depth of about 0.15m. According to the traffic management measures proposed by the applicant, sufficient manoeuvring space will be provided within the Site to ensure that no vehicles will queue back onto the local road; warning signs and cameras will be installed at the ingress/egress to ensure pedestrian safety and prevent illegal parking; and staff will be deployed to manage vehicles entering/exiting the Site.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 5.5.2026 (Appendix I)
 - (b) Further Information (FI) received on 9.6.2026* (Appendix Ia)
 - (c) FI received on 17.6.2026* (Appendix Ib)

** accepted and exempted from publication and recounting requirements*

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 proposed use could meet the surging demand for land for storage of construction materials, which is necessary to support various development projects in the Northern Metropolis;
- (b) to the immediate north of the Site is a logistics warehouse, while to the east is a proposed temporary cargo handling and forwarding facility with a valid planning permission (application No. A/NE-FTA/268). The proposed use is considered compatible with the surrounding areas;
- (c) the proposed use involves storage of small-scale construction materials with ancillary office only. It would not induce adverse environmental impacts and noise nuisance; and
- (d) no toilet facilities will be provided at the Site. The existing toilet in the village house adjoining the Site, which is also owned by the applicant, will be utilised to serve the proposed use.

3. Compliance with the “Owner’s Consent/Notification” Requirements

The applicant is the sole “current land owner” of the Site. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

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

5. Previous Application

There is no previous application at the Site².

6. Similar Application

There is no similar application for warehouse within the same “AGR” zone on the OZP in the past five years.

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

7.1 The Site is:

- (a) partly fenced-off and generally vacant, with a minor portion currently hard-paved;
- (b) situated to the immediate south of an existing village house; and
- (c) abutting a local track to the immediate north leading to Man Kam To Road.

7.2 The surrounding areas are rural in character comprising storage yards, logistics warehouses, temporary structures, domestic structures/village houses, intermixed with active/fallow agricultural land, vacant land and tree clusters. To the north of the Site across a local track is a cluster of brownfield operations with valid planning permissions (including applications No. A/NE-FTA/261 and 266³), which falls within an area zoned “Other Specified Uses” annotated “Port Back-up Uses” (“OU(PBU)”). To the immediate east is a site covered with a valid planning permission (application No. A/NE-FTA/268) for proposed temporary cargo handling and forwarding facility, which is under construction. To the further south of the Site across a nullah is the village proper of Wa Shan zoned “Village Type Development”.

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 “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.

² The Site forms part of the subject of a previously approved application No. A/NE-FTA/164 for Small House development, as mentioned in Footnote 1 above. According to the applicant, both the Site and the adjoining village house are under his ownership.

³ Application No. A/NE-FTA/261 for proposed temporary dangerous goods godown (Classes 2 to 9 Dangerous Goods) with ancillary office and associated filling of land for a period of three years was approved with conditions by the Committee on 15.8.2025 with validity up to 15.8.2028. Application No. A/NE-FTA/266 for temporary logistics warehouse for a period of five years was approved with conditions by the Committee on 24.10.2025 with validity up to 24.10.2028.

9. Comments from Relevant Government Departments

9.1 Apart from the government departments as set out in paragraphs 9.2 and 9.3 below, other government departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and recommended advisory clauses are provided at **Appendices II** and **III** respectively.

9.2 The following government department does not support the application:

Agriculture

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

- (a) he does not support the application from agricultural perspective as the Site possesses potential for agricultural rehabilitation; and
- (b) agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc.

9.3 The following government department provides views on the application:

Traffic

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

- (a) she has no comment on the application from traffic engineering perspective;
- (b) taking into consideration the location of the Site and requirement for vehicular access etc., should the application be approved, it is suggested to impose approval conditions on the submission, implementation and maintenance of traffic management measures; and
- (c) her advisory comments are at **Appendix III**.

10. Public Comments Received During Statutory Publication Period

On 12.5.2026, the application was published for public inspection. During the statutory public inspection period, two public comments were received (**Appendix IV**). An individual objects to the application on the grounds that the Site is not the subject of any previous approval; the application is not related to relocation of an existing brownfield operation affected by government development projects; the Site falls within Category 3 areas under the Town Planning Board Guidelines No. 13G for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13G); and sufficient land has been designated as Category 2 areas under TPB PG-No. 13G to accommodate the logistics industry. The remaining comment from a member of the North District Council indicates no comment on the application.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary warehouse for storage of construction materials with ancillary office and associated filling of land for a period of three years at the Site which is zoned “AGR” on the OZP (**Plan A-1**). 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. Nonetheless, 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 application involves filling of land of the entire site with concrete to a depth of about 0.15m. Filling of land within the “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the surrounding areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department has no objection to the application from public drainage perspective, while the Director of Environmental Protection has no adverse comment on the proposed associated filling of land from environmental perspective subject to implementation of mitigation measures as listed in the Recommended Pollution Control Clauses for Construction Contracts. 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 of the Board decide to approve the application.
- 11.3 The Site, which is partly fenced-off and generally vacant, with a minor portion currently hard-paved, is situated in an area of rural character comprising storage yards, logistics warehouses, temporary structures, domestic structures/village houses, intermixed with active/fallow agricultural land, vacant land and tree clusters (**Plans A-2 to A-4d**). To the north across a local track is a cluster of brownfield operations in an area zoned “OU(PBU)” with valid planning permissions (including applications No. A/NE-FTA/261 and 266), while a proposed temporary cargo handling and forwarding facility with a valid planning permission (application No. A/NE-FTA/268) is located to the immediate east (**Plan A-2**). The proposed use is considered not entirely incompatible with the surrounding land uses and no distinctive landscape resources and mature trees are observed within the Site.
- 11.4 Other concerned government departments consulted, including the Director of Fire Services, have no objection to or no adverse comment on the application. While C for T has no adverse comment on the application from traffic engineering perspective, she recommends imposing approval conditions on the submission, implementation and maintenance of the proposed traffic management measures, taking into consideration the location of the Site and requirement for vehicular access. To address the technical requirements of the concerned government departments, appropriate approval conditions are recommended in paragraph 12.2 below. Should the application be approved, the applicant will be advised to follow the latest ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ to minimise the possible environmental nuisances on the surrounding areas, and to implement relevant mitigation measures listed in the Recommended Pollution Control Clauses for Construction Contracts during land filling.
- 11.5 Regarding the public comments mentioned in paragraph 10 above, the government departments’ comments and the 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 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 26.6.2029. 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 26.12.2026;
- (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 26.3.2027;
- (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 26.12.2026;
- (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 26.3.2027;
- (f) the submission of revised traffic management measures within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board by 26.12.2026;
- (g) in relation to (f) above, the implementation of the revised traffic management measures within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board by 26.3.2027;
- (h) in relation to (g) above, the implemented traffic management measures shall be maintained at all times during the planning approval period;
- (i) if any of the above planning condition (c) or (h) 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;
- (j) if any of the above planning condition (a), (b), (d), (e), (f) or (g) 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
- (k) upon the 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 III**.

- 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 received on 5.5.2026
Appendix Ia	FI received on 9.6.2026
Appendix Ib	FI received on 17.6.2026
Appendix II	Government Departments' General Comments
Appendix III	Recommended Advisory Clauses
Appendix IV	Public Comments
Drawing A-1	Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4d	Site Photos