

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/614

- Applicant** : 自遊發展有限公司
- Site** : Various Lots in D.D. 128 and D.D. 129, Ha Tsuen, Yuen Long
- Site Area** : About 5,290m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Draft Hung Shui Kiu and Ha Tsuen (HSK and HT) Outline Zoning Plan (OZP) No. S/HSK/3
- Zonings** : (i) “Government, Institutional or Community” (“G/IC”) (about 83.7%);
and
[Restricted to a maximum building height (BH) of 8 storeys]
(ii) “Open Space” (“O”) (about 16.3%).
- Application** : Proposed Temporary Warehouse for Storage of Construction Materials with Ancillary Facilities for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary warehouse for storage of construction materials with ancillary facilities for a period of three years at the application site (the Site) falling within areas zoned “G/IC” and “O” on the OZP (**Plan A-1a**). According to the covering Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years at the Site requires planning permission from the Town Planning Board (the Board). The Site is currently hard paved and vacant (**Plan A-4**).
- 1.2 The Site is accessible from Fung Kong Tsuen Road via a local track with the ingress/egress point at the southern part of the Site (**Drawing A-1** and **Plan A-2**). According to the applicant, two two-storey temporary structures (about 6.5m to 15m in height) with a total floor area of about 4,900m² are proposed for warehouse and site office while the remaining four single-storey temporary structures (about 3m to 5.5m in height) with a total floor area of about 195m² are proposed for rain shelter, toilet, guard room and fire pump room. Two parking spaces for light goods vehicles (7m x 3.5m) and three loading/unloading spaces for medium goods vehicles (11m x 3.5m) will be provided within the Site (**Drawing A-1**). The operation hours are from 8:00 a.m. to 8:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. The site layout plan with vehicular access submitted by the

applicant is at **Drawing A-1**.

- 1.3 The Site, in part or in whole, was involved in 13 previous applications for various temporary open storage, warehouse and logistic centre uses, of which two applications for temporary warehouse and logistics centre were approved by the Rural and New Town Planning Committee (the Committee) of the Board in 2016 and 2019 respectively (details at paragraph 5 below) (**Plan A-1b**).
- 1.4 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form with attachments received on 26.5.2026 (**Appendix I**)
 - (b) Supplementary Information (SI) received on 1.6.2026 (**Appendix Ia**)

2. Justifications from the Applicant

The justifications put forth by the Applicant in support of the application are detailed in the Application Form and SI at **Appendices I** and **Ia**. They can be summarised as follows:

- (a) the Site was originally used for warehouse and logistics centre from 2016 to 2022 which was the subject of two previously approved planning applications (No. A/YL-HT/1061 and A/HSK/156). In view of the Hung Shui Kiu/Ha Tsuen New Development Area development, the government has resumed the southern portion of the original site (about 13,040m²), resulting in a much smaller area for the applicant to continue with the operation. Due to the significant decrease in the site area and insufficient fund, the applicant submitted a planning application No. A/HSK/561 for temporary open storage of vehicles (private cars) in 2025. Subsequently, the applicant has found the investor for constructing the warehouse and now submitted the current application for the proposed warehouse use;
- (b) the proposed use is temporary in nature and would not jeopardise the long-term planning intention of the concerned zones;
- (c) sufficient maneuvering spaces will be provided within the Site. No vehicles are allowed to queue and reverse onto the public road. Only vehicles with appointment are allowed to enter the Site. Adverse traffic impacts are therefore not anticipated;
- (d) adverse environmental and landscape impacts are not anticipated; and
- (e) the applicant will strictly comply with relevant environmental ordinances and follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (“CoP”) to minimise the potential adverse environmental impacts and nuisances to 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 notices and sending notice to the Ha Tsuen Rural Committee. 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 Applications

- 5.1 The Site, in part or in whole, was involved in 13 previous applications (No. A/YL-HT/12, 54, 123, 185, 235, 273, 383, 533, 727, 897 and 1061 and A/HSK/156 and 561) for various temporary open storage, warehouse and logistics centre uses. 12 of them were approved with conditions by the Committee/the Board on review between 1998 and 2025 while one was rejected by the Committee in 1996. Details of these applications are summarised in **Appendix II** and their locations are shown on **Plan A-1b**.
- 5.2 Two applications (No. A/YL-HT/1061 and A/HSK/156) submitted for temporary warehouse and logistic centre were approved with conditions by the Committee in 2016 and 2019 respectively mainly on the considerations that the temporary uses were not incompatible with the surrounding environment and/or no adverse comments from concerned government departments. The last application No. A/HSK/156 for temporary warehouse and logistics centre was approved with conditions by the Committee on 5.7.2019 for a period of three years but the planning permission was subsequently revoked on 5.12.2021 due to non-compliance with time-limited approval condition regarding the implementation of the fire service installations proposal. Compared with the last approved application No. A/HSK/156, the current application is submitted by a different applicant at a much smaller site (-14,910m² or -73%) with different layout and development parameters.
- 5.3 The other ten approved applications (No. A/YL-HT/54, 123, 185, 235, 273, 383, 533, 727 and 897, and A/HSK/561) and one rejected application No. A/YL-HT/12 for various temporary open storage uses are not relevant to the current application which is for a different use.

6. Similar Applications

There are three similar applications (No. A/HSK/401, 579 and 593) involving temporary warehouse within the same “G/IC” and “O” zones in the past five years. All of them were approved with conditions by the Committee between 2022 and 2025 mainly on similar considerations as mentioned in paragraph 5.2 above. Details of these applications are summarised at **Appendix II** and their locations are shown on **Plan A-1a**.

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

- 7.1 The Site is:
- (a) currently hard paved and vacant; and
 - (b) accessible from Fung Kong Tsuen Road via a local track.
- 7.2 The surrounding areas are predominantly occupied by open storage yards and logistics use intermixed with recycling workshop, unused/vacant land and graves. Some of these uses are covered by valid planning permissions.

8. Planning Intentions

- 8.1 The planning intention of the “G/IC” zone is primarily for provision of Government, institution or community facilities serving the needs of the local residents and/or wider district, region or territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organisations providing social services to meet community needs, and other institutional establishments.
- 8.2 The planning intention of the “O” zone is primarily for provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.

9. Comments from Relevant Government Departments

All 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.

10. Public Comment Received During Statutory Publication Period

On 5.6.2026, the application was published for public inspection. During the statutory public inspection period, a public comment from an individual was received (**Appendix V**) expressing views that the last previous application No. A/HSK/561 was subject to planning enforcement action against unauthorized development.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary warehouse for storage of construction materials with ancillary facilities for a period of three years at the Site which is zoned “G/IC” and “O” on the OZP. Whilst the proposed use is not entirely in line with the planning intentions of the “G/IC” and “O” zones, there is no known development proposal at the Site. The Project Manager (West) of Civil Engineering and Development Department advises that the Site falls within the study area of Lau Fau Shan Development and the implementation programme and land resumption/clearance programme are currently being reviewed under the investigation study and subject to change. The Director of Leisure and Cultural Services also advises that there is no plan to develop the Site into any recreation or sports venue in the coming three years. Approval of the application on temporary basis of three years would not jeopardise the long-term planning intention of “G/IC” and “O” zones. Nonetheless, 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 advised not to carry out any substantial works therein.
- 11.2 The proposed use is considered not incompatible with the surrounding areas which are predominantly by open storage yards and logistics use intermixed with recycling workshop, unused/vacant land and graves and with some of these uses covered by valid planning permissions (**Plan A-2**).

- 11.3 Other relevant government departments consulted including the Commissioner for Transport, Director of Fire Services, Chief Engineer/Mainland North of Drainage Services Department and Director of Environmental Protection have no objection to or no adverse comment on the application from traffic, fire safety, drainage and environmental perspectives respectively. To address the technical requirements of the concerned departments, relevant approval conditions are recommended in paragraph 12.2 below. Should the application be approved, the applicant will be advised to follow the latest “CoP” to minimise any potential environmental nuisances on the surrounding areas.
- 11.4 Two previous applications for temporary warehouse and logistics centre at the Site were approved in 2016 and 2019 respectively while three similar applications within the same “G/IC” and “O” zones were approved in the past five years. Approval of the current application is generally in line with the previous decisions of the Committee.
- 11.5 Regarding the public comment as summarised in paragraph 10 above, the Site is currently vacant and not subject to any active planning enforcement action.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 above 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 **24.7.2029**. 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 or of the Town Planning Board by **24.1.2027**;
- (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 or of the Town Planning Board by **24.4.2027**;
- (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 **24.1.2027**;
- (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 **24.4.2027**;
- (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; and

- (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.

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 is not in line with the planning intentions of the "G/IC" and "O" zones which are primarily for provision of Government, institution or community facilities serving the needs of the local residents and/or wider district, region or territory; and for provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public respectively. There is no strong justification in the submission for a departure from the planning intentions, 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 26.5.2026
Appendix Ia	SI received on 1.6.2026
Appendix II	Previous and Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment
Drawing A-1	Proposed Layout Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos