

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/616

- Applicant** : Mr TANG Sheung Chai represented by Metro Planning and Development Company Limited
- Site** : Various Lots in D.D. 125 and Adjoining Government Land (GL), Ha Tsuen, Yuen Long
- Site Area** : About 3,715m² (including GL of about 50m² or 1.3%)
- 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
- Zoning** : “Residential (Group A) 3” (“R(A)3”)
[Restricted to a maximum plot ratio of 5.5 and a maximum building height of 140mPD]
- Application** : Temporary Open Storage of Construction Machinery and Construction Materials for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary open storage of construction machinery and construction materials for a period of three years at the application site (the Site) falling within an area zoned “R(A)3” on the OZP (**Plan A-1**). 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 used for the applied use without valid planning permission.
- 1.2 The Site is accessible from Ping Ha Road via a local track with the ingress/egress point at the southern part of the Site (**Plan A-2**). According to the applicant, open areas of about 2,000m² (about 53.8% of the Site) are used for open storage of construction machinery and construction materials while six single-storey temporary structures (about 3m to 3.5m in height) with a total floor area of about 108m² are used for site offices, electric meter room and toilet. A loading/unloading space for medium/heavy goods vehicle (M/HGV) (11m x 3.5m) is provided (**Drawing A-1**). The operation hours are from 7:00 a.m. to 11:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. Plans showing the site layout and as-built drainage facilities submitted by the applicant are at **Drawings A-1 to A-2** respectively.

- 1.3 The Site was involved in three previous applications for temporary open storage of construction machinery and construction materials approved by the Rural and New Town Planning Committee (the Committee) of the Board between 2019 and 2023 (details at paragraph 6 below) (**Plan A-1**). Compared with the last application No. A/HSK/430 approved on 17.3.2023, the current application is submitted by the same applicant for the same use at the same site with the same layout and development parameters.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 1.6.2026 (**Appendix I**)
 - (b) Supplementary Information (SI) received on 5.6.2026 (**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 at **Appendix I**. They can be summarised as follows:

- (a) five previous applications have been approved by the Committee at the Site since 2015, of which the last three applications for temporary open storage uses approved since 2019. All approval conditions under the previous application (No. A/HSK/430) have been complied with by the same applicant;
- (b) there is a shortage of land for port back-up uses in the area and the applied use could support the need of infrastructural projects in the Northern Metropolis;
- (c) the applied use is temporary in nature and would not jeopardise the long-term planning intention of the Site;
- (d) the application conforms with the relevant Town Planning Board Guidelines for ‘Application for Open Storage and Port Back-up Uses’ (TPB PG-No. 13G) and the applied use is not incompatible with the surrounding areas;
- (e) as adequate space for manoeuvring of vehicle would be provided, and no container trailer/tractor would be allowed to enter/exit or parked/stored on the Site, no queuing up of traffic onto nearby road network is expected. Therefore, insignificant traffic impact is anticipated; and
- (f) insignificant environmental, noise and drainage impacts are anticipated.

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. For the GL portion, the requirements as set out in TPB PG-No. 31B are not applicable.

4. Town Planning Board Guidelines

TPB PG-No.13G promulgated on 14.4.2023 is relevant to the application. The Site falls within the Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA) under the revised Guidelines. Relevant extract of the Guidelines is attached at **Appendix II**.

5. Background

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

6. Previous Applications

- 6.1 The Site was involved in five previous applications (No. A/YL-HT/929, A/HSK/35, 179, 207 and 430) for various temporary open storage and public vehicle park (PVP) uses. Two applications for temporary PVP for MG, HGV and container trailer (No. A/YL-HT/929 and A/HSK/35) are irrelevant to the current application as it involves a different use. Three applications for various temporary open storage uses (No. A/HSK/179, 207 and 430) were approved with conditions by the Committee between 2019 and 2023 mainly on the considerations that the temporary use was not incompatible with the surrounding environment; being generally in line with the relevant TPB PG-No. 13 and there were no major adverse comments from concerned government departments. Details of these applications are summarised in **Appendix III** and their locations are shown on **Plan A-1**.
- 6.2 The last application No. A/HSK/430 for renewal of planning approval for temporary open storage of construction machinery and construction materials for a period of three years submitted by the same applicant at the same site as the current application was approved with conditions by the Committee on 17.3.2023. All the approval conditions have been complied with and the planning permission lapsed on 21.3.2026.

7. Similar Applications

There are seven similar applications (No. A/HSK/362, 385, 506, 534, 538, 558 and 602) involving various open storage uses straddling/within the same “R(A)3” zone in the past five years. All of them were approved with conditions by the Committee between 2022 and 2026 mainly on similar considerations as mentioned in paragraph 6.1 above. Details of these applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.

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

8.1 The Site is:

- (a) accessible from Ping Ha Road via a local track; and
- (b) currently used as the applied use without valid planning permission.

8.2 The surrounding areas are predominantly occupied by open storage yards, warehouses and logistics use intermixed with car servicing, office, residential dwellings and vacant/unused land. Some of these uses are covered by valid planning

permissions.

9. Planning Intention

The planning intention of the “R(A)” zone is primarily for high-density residential development.

10. Comments from Relevant Government Departments

10.1 Apart from the government department as set out in paragraph 10.2 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 IV** and **V** respectively.

10.2 The following government department does not support the application:

Environment

10.2.1 Comments of the Director of Environmental Protection:

- (a) he does not support the application because there are sensitive uses in the vicinity of the Site (i.e. residential dwellings within 100m from the boundary of the Site) (**Plan A-2**);
- (b) no environmental complaints pertaining to the Site were received in the past three years; and
- (c) should the application be approved, the applicant should note his advisory comments in **Appendix V**.

11. Public Comment Received During Statutory Publication Period

On 9.6.2026, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

12. Planning Considerations and Assessments

12.1 The application is for temporary open storage of construction machinery and construction materials for a period of three years at the Site zoned “R(A)3” on the OZP. Whilst the applied use is not in line with the planning intention of the “R(A)” zone, 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. Approval of the application on temporary basis of three years would not jeopardise the long-term planning intention of “R(A)” zone. 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.

- 12.2 The applied use is considered not incompatible with the surrounding areas which are predominantly occupied by open storage yards, warehouses and logistics use intermixed with car servicing, office, residential dwellings and vacant/unused land with some of them covered by valid planning permissions (**Plan A-2**).
- 12.3 The applied use is generally in line with TPB PG-No. 13G in that the Site falls within the HSK/HT NDA and three previous planning approvals for temporary open storage uses have been granted by the Committee between 2019 and 2023. For the last approved application No. A/HSK/430, all approval conditions have been complied with. The current application is submitted by the same applicant for the same use at the same site. In this regard, sympathetic consideration may be given to the application.
- 12.4 Relevant government departments consulted including the Commissioner for Transport, Director of Fire Services and Chief Engineer/Mainland North of Drainage Services Department have no objection to or no adverse comment on the application from traffic, fire safety and drainage perspectives respectively. To address the technical requirements of the concerned departments, relevant approval conditions are recommended in paragraph 13.2 below. While DEP does not support the application as there are sensitive uses in the vicinity (i.e. residential dwelling within 100m from the boundary of the Site) (**Plan A-2**), there was no environmental complaint pertaining to the Site received in the past three years. 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 any potential environmental nuisances on the surrounding areas.
- 12.5 There are seven similar applications straddling/within the same “R(A)” zone approved in the past five years as mentioned in paragraph 7 above. Approval of the current application is in line with the previous decisions of the Committee.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 above, the Planning Department has no objection to the application.
- 13.2 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 existing drainage facilities shall be maintained at all times during the planning approval period;
- (b) the submission of a condition record of the existing drainage facilities on the Site within 3 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **24.10.2026**;

- (c) 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**;
- (d) in relation to (c) 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**;
- (e) if the above planning condition (a) 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
- (f) if any of the above planning condition (b), (c) or (d) 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 V**.

- 13.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the applied use is not in line with the planning intention of the "R(A)" zone which is primarily for high-density residential development. There is no strong justification in the submission for a departure from the planning intention, even on a temporary basis.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 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.
- 14.3 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.

15. Attachments

Appendix I	Application Form with Attachments received on 1.6.2026
Appendix Ia	SI received on 5.6.2026
Appendix II	Relevant Extracts of TPB PG-No. 13G
Appendix III	Previous and Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Drawing A-1	Site Layout Plan
Drawing A-2	As-built Drainage Plan
Plan A-1	Location Plan with Previous and Similar Applications
Plan A-2	Site Plan

Plan A-3

Aerial Photo

Plan A-4

Site Photos

**PLANNING DEPARTMENT
JULY 2026**