

**Relevant Extracts of Town Planning Board Guidelines on
Application for Open Storage and Port Back-up Uses
(TPB PG-No. 13G)**

1. On 14.4.2023, the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13G) were promulgated, which set out the following criteria for the various categories of area:
 - (a) Category 1 areas: considered suitable for open storage and port-backup uses. Favourable consideration will normally be given to applications within these areas, subject to no major adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions. Technical assessments should be submitted if the proposed uses may cause significant environmental and traffic concerns;
 - (b) Category 2 areas: planning permission could be granted on a temporary basis up to a maximum period of 3 years, subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions. Technical assessments, where appropriate or if required, should be submitted to demonstrate that the proposed uses would not have adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas;
 - (c) Category 3 areas: applications would normally not be favourably considered unless the applications are on sites with previous planning approvals. Sympathetic consideration may be given if the applicants have demonstrated genuine efforts in compliance with approval conditions of the previous planning applications and included in the fresh applications relevant technical assessments/proposals (if required) to demonstrate that the proposed uses would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas. Planning permission could be granted on a temporary basis up to a maximum period of 3 years, subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions; and
 - (d) Category 4 areas: applications would normally be rejected except under exceptional circumstances. For applications on sites with previous planning approvals, and subject to no adverse departmental comments and local objections, sympathetic consideration may be given if the applicants have demonstrated genuine efforts in compliance with approval conditions of the previous planning applications and included in the fresh applications relevant technical assessments/proposals (if required) to demonstrate that the proposed uses would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas. The intention is however to encourage the phasing out of such non-conforming uses as early as possible. A maximum period of 3 years may be allowed for an applicant to identify suitable sites for relocation. Application for renewal of approval will be assessed on its individual merit.

2. In assessing applications for open storage and port back-up uses, the other major relevant assessment criteria are also summarised as follows:
- (a) port back-up sites and those types of open storage generating adverse noise, air pollution and visual intrusion and frequent heavy vehicle traffic should not be located adjacent to sensitive receivers such as residential dwellings, hospitals, schools and other community facilities;
 - (b) port back-up uses are major generators of traffic, with container trailer/tractor parks generating the highest traffic per unit area. In general, port back-up sites should have good access to the strategic road network, or be accessed by means of purpose built roads;
 - (c) adequate screening of the sites through landscaping and/or fencing should be provided where sites are located adjacent to public roads or are visible from surrounding residential areas;
 - (d) there is a general presumption against conversion of agricultural land and fish ponds to other uses on an ad-hoc basis, particularly in flood prone areas or sites which would obstruct natural drainage channels and overland flow; and
 - (e) for applications involving sites with previous planning approvals, should there be no evidence to demonstrate that the applicants have made any genuine effort to comply with the approval conditions of the previous planning applications, planning permission may be refused, notwithstanding other criteria set out in the Guidelines are complied with.

Previous S.16 Application

Approved Application

Application No.	Use/Development	Date of Consideration
A/NE-HLH/77	Proposed Temporary Container Storage Yard, Container Vehicle Park, Vehicle Repair Workshop, Logistics Centre, Warehouse and Open Storage of Miscellaneous Goods with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land	22.11.2024

**Similar S.16 Applications
in the Vicinity of the Application Site within “Agriculture” Zone
on the Approved Hung Lung Hang Outline Zoning Plan No. S/NE-HLH/11
in the Past Five Years**

Approved Applications

	Application No.	Use/Development	Date of Consideration
1.	A/NE-HLH/51 ^[1]	Proposed Temporary Warehouse and Open Storage of Construction Machinery and Construction Materials for a Period of 3 Years	27.8.2021 (Revoked on 27.5.2023)
2.	A/NE-HLH/54	Temporary Open Storage of Construction Machinery and Materials for a Period of 3 Years	26.8.2022 (Revoked on 26.2.2024)
3.	A/NE-HLH/55 ^[2]	Temporary Open Storage of Construction Machinery and Materials for a Period of 3 Years	26.8.2022 (Revoked on 26.2.2024)
4.	A/NE-HLH/59 ^[3]	Temporary Open Storage of Construction Machinery and Materials for a Period of 3 Years	3.2.2023 (Revoked on 3.8.2024)
5.	A/NE-HLH/60	Temporary Open Storage of Construction Machinery and Materials for a Period of 3 Years	9.6.2023 (Revoked on 9.12.2024)
6.	A/NE-HLH/61 ^[4]	Temporary Open Storage with Ancillary Parking of Vehicles for a Period of 3 Years	24.11.2023 (Revoked on 24.8.2025)
7.	A/NE-HLH/64 ^[5]	Proposed Temporary Open Storage of Construction Machinery and Materials for a Period of 3 Years	22.9.2023 (Revoked on 3.11.2023)
8.	A/NE-HLH/66	Proposed Temporary Open Storage of Construction Machinery and Construction Materials for a Period of 3 Years	22.12.2023 (Revoked on 22.6.2025)
9.	A/NE-HLH/68 ^[1]	Temporary Open Storage and Warehouse of Construction Machinery and Construction Materials for a Period of Three Years	24.5.2024
10.	A/NE-HLH/70 ^[5]	Proposed Temporary Open Storage of Construction Machinery and Materials for a Period of 3 Years	19.4.2024 (Revoked on 19.1.2026)
11.	A/NE-HLH/71	Temporary Open Storage and Warehouse of Construction Machinery for a Period of Three Years and Associated Filling of Land	10.5.2024 (Revoked on 10.11.2025)

	Application No.	Use/Development	Date of Consideration
12.	A/NE-HLH/75	Proposed Temporary Open Storage of Construction Materials for a Period of 3 Years	6.12.2024
13.	A/NE-HLH/76 ^[2]	Temporary Open Storage of Construction Machinery and Materials for a Period of 3 Years and Associated Filling of Land	8.11.2024 (Revoked on 8.5.2026)
14.	A/NE-HLH/79	Temporary Warehouse for Storage of Office Stationery and Equipment Supplies for a Period of 3 Years	14.3.2025
15.	A/NE-HLH/80	Proposed Temporary Open Storage of Construction Materials with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years	11.4.2025
16.	A/NE-HLH/81	Proposed Temporary Open Storage of Construction Materials and Machineries with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years	20.6.2025
17.	A/NE-HLH/82 ^[4]	Proposed Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of 3 Years	5.9.2025
18.	A/NE-HLH/83	Proposed Temporary Open Storage of Construction Machinery and Materials with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years	5.9.2025
19.	A/NE-HLH/84	Proposed Temporary Open Storage of Construction Materials for a Period of 3 Years	5.9.2025
20.	A/NE-HLH/85	Proposed Temporary Warehouse for Storing Car Parts with Ancillary Office and Associated Filling of Land for a Period of 3 Years	19.9.2025
21.	A/NE-HLH/88 ^[3]	Proposed Temporary Open Storage of Construction Machinery and Construction Materials and Associated Filling of Land for a Period of 3 Years	23.1.2026

	Application No.	Use/Development	Date of Consideration
22.	A/NE-HLH/89	Temporary Warehouse (excluding Dangerous Goods Godown) and Open Storage of Miscellaneous Goods with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years	6.2.2026
23.	A/NE-HLH/90	Proposed Temporary Open Storage of Construction Materials and Machineries and Rural Workshop with Ancillary Facilities and Associated Filling of Land and Pond for a Period of 3 Years	26.6.2026

Remarks

^[1] Applications No. A/NE-HLH/51 and 68 involve the same site.

^[2] Applications No. A/NE-HLH/55 and 76 involve the same site.

^[3] Applications No. A/NE-HLH/59 and 88 involve the same site.

^[4] Applications No. A/NE-HLH/61 and 82 involve the same site.

^[5] Applications No. A/NE-HLH/64 and 70 involve the same site.

Government Departments' General Comments

1. Land Administration

Comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD):

- no comment on the application;
- the application site (the Site) comprises Old Schedule Agricultural Lots held under the Block Government Lease which contain the restriction that no structures are allowed to be erected without the prior approval of the Government. The proposed ingress/egress of the Site is required to pass through Government land (GL) but no right of access via GL is granted to the Site;
- Lot 157 in D.D. 87 is partly covered by Letter of Approval (LoA) No. 6381 for the purposes of watchman shed and agricultural store, but its conformity is subject to further investigation. His office reserves the rights to take necessary enforcement action if breach is detected;
- the following irregularities covered by the subject planning application have been detected:

Unauthorised structure(s) within Lot 159 in D.D. 87 covered by the planning application

there is/are structure(s) erected on the private lot concerned. Records of Surveyed Squatter Structures were found thereon, but their conformity is subject to further investigation. His office reserves the rights to take necessary enforcement action if breach is detected;

- the lot owner has applied to his office for Short Term Waiver (STW). The application for STW is being considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STW, if approved, will be on whole lot basis and subject to such terms and conditions including the payment of waiver fee and administrative fee as considered appropriate to be imposed by LandsD. In addition, LandsD reserves the right to take enforcement action against the lot owner(s)/applicant for any breach of the lease conditions, including the breach(es) already in existence or to be detected at any point of time in future. Besides, given the applied uses are temporary in nature, only erection of temporary structures will be considered; and
- his advisory comments are at **Appendix VI**.

2. Traffic

Comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD):

- no comment on the application from highways maintenance perspective; and
- his advisory comments are at **Appendix VI**.

3. **Drainage**

Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

- no objection to the application from public drainage perspective;
- no adverse comment on the applied filling of land and the drainage impact assessment (DIA) submitted;
- should the application be approved, approval conditions should be included to request the applicant to implement the drainage facilities identified in the accepted DIA for the Site to ensure that the applied uses will not cause adverse drainage impact on the adjacent areas, and the implemented drainage facilities at the Site shall be maintained at all times during the planning approval period; and
- her advisory comments are at **Appendix VI**.

4. **Fire Safety**

Comments of the Director of Fire Services (D of FS):

- no objection in principle to the application subject to fire service installations and water supplies for firefighting being provided to his satisfaction; and
- his advisory comments are at **Appendix VI**.

5. **Landscape**

Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

- no adverse comment on the application from landscape planning perspective;
- based on the aerial photo taken in 2025, the Site was located in an area of rural inland plain landscape character comprising farmlands, warehouses, temporary structures, vegetated areas and tree clusters. The applied uses are considered not incompatible with the surrounding environment;
- based on the site photos taken on 24.6.2026 (**Plans A-4a and A-4b**), the Site was formed and occupied by some construction materials without any trees. As stated in the Application Form, tree felling is not involved. Significant adverse landscape impact arising from the application is not anticipated; and
- her advisory comments are at **Appendix VI**.

6. **Project Interface**

Comments of the Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD):

- no adverse comment on the application from project interface perspective; and
- his advisory comments are at **Appendix VI**.

7. **Building Matters**

Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- no objection to the application; and
- his advisory comments are at **Appendix VI**.

8. **Other Departments**

The following government departments have no objection to/no comment on the application:

- (a) District Officer (North), Home Affairs Department (DO(N), HAD); and
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD).

Recommended Advisory Clauses

- (a) to resolve any land issues relating to the applied uses with the concerned owner(s) of the application site (the Site);
- (b) failure to reinstate the Site as required under the relevant approval condition upon expiry of the planning permission might constitute an unauthorized development under the Town Planning Ordinance and be subject to enforcement and prosecution actions;
- (c) to note the comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD) that:
 - (i) the Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contain the restriction that no structures are allowed to be erected without the prior approval of the Government. The proposed ingress/egress of the Site is required to pass through Government land (GL) but no right of access via GL is granted to the Site;
 - (ii) Lot 157 in D.D. 87 is partly covered by Letter of Approval (LoA) No. 6381 for the purposes of watchman shed and agricultural store, but its conformity is subject to further investigation. His office reserves the rights to take necessary enforcement action if breach is detected;
 - (iii) there is/are structure(s) erected on the private lot concerned. Records of Surveyed Squatter Structures were found thereon, but their conformity is subject to further investigation. His office reserves the rights to take necessary enforcement action if breach is detected;
 - (iv) the lot owner has applied to his office for Short Term Waiver (STW). The application for STW is being considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STW, if approved, will be on whole lot basis and subject to such terms and conditions including the payment of waiver fee and administrative fee as considered appropriate to be imposed by LandsD. In addition, LandsD reserves the right to take enforcement action against the lot owner(s)/applicant for any breach of the lease conditions, including the breach(es) already in existence or to be detected at any point of time in future. Besides, given the applied uses are temporary in nature, only erection of temporary structures will be considered; and
 - (v) the lot owner(s)/applicant should comply with all the land filling requirements imposed by relevant Government departments. GL should not be disturbed unless with prior approval;
- (d) to note the comments of the Commissioner for Transport (C for T) that the access roads connecting between the Site and Ping Che Road/Kong Nga Po Road are not managed by the Transport Department. The land status of the local access road should be checked with LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities. Sufficient manoeuvring space within the Site shall be provided. No vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD) that:
 - (i) HyD is not/shall not be responsible for the maintenance of any access connecting the Site to Ping Che Road/Kong Nga Po Road. Presumably, the relevant departments will provide their comments, if any; and

- (ii) adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (f) to note the comments of the Director of Environmental Protection (DEP) that the applicant should follow the requirements of the latest ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ issued by the Environmental Protection Department (EPD), and provide suitable sewage treatment facilities as required under the ‘Professional Persons Environmental Consultative Committee Practice Notes’ (ProPECC PN) No. 1/23 ‘Drainage Plans subject to Comment by the Environmental Protection Department’ and are duly certified by an Authorized Person (AP) or employ licensed waste collector to regularly collect and properly dispose of the sewage collected in the proposed toilet;
- (g) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that the applicant should implement good site practices and measures to avoid adverse impacts on the watercourse nearby and to avoid polluting it;
- (h) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):
- (i) the Site is in an area where no public sewerage connection is available. EPD should be consulted regarding the sewage treatment/disposal facilities for the applied use; and
 - (ii) the applicant should construct and maintain the proposed drainage facilities within or outside the Site at his/her own expense, and the implemented drainage system should be properly maintained at all times during the approval period and be rectified if they are found inadequate/ineffective during operation; and
- (i) to note the comments of the Director of Fire Services (D of FS) that:
- (i) in consideration of the design/nature of the proposal, fire services installations (FSIs) are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval. In addition, the applicant should also be advised on the following points:
 - the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; and
 - the location of where the proposed FSIs to be installed should be clearly marked on the layout plans; and
 - (ii) if the proposed structures are required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire safety requirements will be formulated upon receipt of the formal submission of general building plans or upon referral from the relevant licensing authority;
- (j) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that approval of the application does not imply approval of tree works such as pruning, transplanting and felling. The applicant should seek approval for any proposed tree works from relevant government departments prior to commencement of the works;
- (k) to note the comments of the Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD) that the Site is located within the proposed New Territories North

New Town (NTN New Town) under the Planning and Engineering Study for NTN New Town and Man Kam To (the P&E Study). The preliminary development proposal for NTN New Town was released in December 2024. While the implementation programme of NTN New Town is being formulated under the P&E Study, the site formation works will likely commence soon after the completion of detailed design in next stage. Hence, the applicant is reminded that subject to the land use planning in the P&E Study, the applied uses, if approved, may need to be vacated for the site formation works; and

- (l) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) before any new building works are to be carried out on the Site, prior approval and consent of the Building Authority (the BA) should be obtained unless they are exempted building works or commenced under the simplified requirement under the Minor Works Control System, otherwise they are unauthorised building works (UBWs) under the BO. An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - (ii) the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively;
 - (iii) the Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at building plan submission stage;
 - (iv) if any existing structure is erected on leased land without the approval of the BA, they are UBWs under the BO and should not be designated for any applied uses under the application;
 - (v) for UBWs erected on leased land, enforcement action may be taken by the Buildings Department (BD) to effect their removal in accordance with the prevailing enforcement policy against UBWs as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBWs on the Site under the BO;
 - (vi) any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings are subject to the control of Part VII of the B(P)R;
 - (vii) in general, there is no requirement under the BO in respect of provision of car parking spaces for a proposed development. However, the applicant's attention is drawn to the provision of accessible car parking spaces designated for the use of persons with a disability as per the requirements under Regulation 72 of the B(P)R and Division 3 of Design Manual: Barrier Free Access 2008;
 - (viii) the applicant's attention is drawn to the provision under Regulations 40 and 41 of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations in respect of disposal of foul water and surface water respectively;
 - (ix) the 8.23m high warehouse and logistic centre, is considered excessive. It should be justified upon formal plan submission to BD; and
 - (x) detailed checking under the BO will be carried out at building plan submission stage.

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年06月28日星期日 23:20
收件者: tpbpd/PLAND
主旨: A/NE-HLH/91 DD 87 Hung Lung Hang
類別: Internet Email

Dear TPB Members,

77 was supported by Sec for DevB so slam dunk and rubberstamped on 22 Nov 2024.

It is alarming to note that members accepted that **A MERE 3M** set back from the Pink Yuen River was adequate.

This is completely ignoring the number of land slides and erosion of river banks already recorded due to record levels of rainfall in the territory.

HK is sleepwalking through the imminent crisis of climate change.

Conditions of course not fulfilled so back for another round.

This will provide members with another opportunity re the wisdom of the inadequate set back.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Friday, 1 November 2024 2:46 AM HKT
Subject: A/NE-HLH/77 DD 87 Hung Lung Hang

A/NE-HLH/77

Lots 156 S.A (Part), 156 S.B (Part), 157, 158, 159, 161, 162, 163 S.A, 163 S.B, 164 (Part), 177 (Part), 179 (Part), 180 (Part), 181 (Part), 207, 208, 209, 210, 211, 212, 213 RP, 213 S.A, 214, 215 (Part), 216, 217, 218, 219 (Part), 220 (Part), 222 (Part), 223, 224 in D.D. 87, Hung Lung Hang, New Territories

Site area: About 23,163sq.m

Zoning: "Agriculture"

Applied use: Container Storage Yard / Container Vehicle Park / Vehicle Repair Workshop / Logistics Centre / Warehouse / Open Storage / 35 Vehicle Parking / **Filling of Land**

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy

Dear TPB Members,

Strongest Objections. No history of previous applications and the site is located beside a watercourse, the Ping Yuen River, that runs alongside a GB. The trashing of this large site would certainly impact the drainage function of the lots. No details provided on the number of trees on the site.

The Site mostly falls within Cat 3 area. Within these areas, "existing" and approved open storage and port back-up uses are to be contained and **further proliferation of such uses is not acceptable.**

The most recent review of the guidelines has already designated a large area under Cat 2.

TPB PG-No. 13G (Revised April 2023)

TOWN PLANNING BOARD GUIDELINES FOR APPLICATION FOR OPEN STORAGE AND PORT BACK-UP USES UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

If these guidelines have any legitimacy there is no justification to approve this application.

Mary Mulvihill