

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-HLH/91

<u>Applicant</u>	:	Able New Development Limited represented by R-riches Planning Limited
<u>Site</u>	:	Various Lots in D.D. 87, Hung Lung Hang
<u>Site Area</u>	:	About 23,163m ²
<u>Lease</u>	:	Block Government Lease (demised for agricultural use)
<u>Plan</u>	:	Approved Hung Lung Hang Outline Zoning Plan (OZP) No. S/NE-HLH/11
<u>Zoning</u>	:	“Agriculture” (“AGR”)
<u>Application</u>	:	Temporary Container Storage Yard, Container Vehicle Park, Vehicle Repair Workshop, Logistics Centre, Warehouse and Open Storage of Miscellaneous Goods with Ancillary Facilities and Associated Filling of Land for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary container storage yard, container vehicle park, vehicle repair workshop, logistics centre, warehouse and open storage of miscellaneous goods 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 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 largely fenced-off, largely hard-paved and currently used for the applied uses under a valid planning permission (**Plans A-4a** and **A-4b**).
- 1.2 According to the applicant, the application is submitted to facilitate the relocation of eight existing brownfield operations displaced/will be displaced by Fanling North New Development Area (FLN NDA) (Remaining Phase), San Tin Technopole (STT) Development (Phase 2) and public housing development at Sha Po, Yuen Long. The affected operations are for container storage yard, container vehicle park, vehicle repair workshop, logistics centre, warehouse and open storage of miscellaneous goods with ancillary office, which involve a total site

area of 15,691m² as claimed by the applicant. The affected land in FLN NDA and STT Development (Phase 2) have been resumed by the Government.

- 1.3 The Site is accessible from Man Kam To Road/Ping Che Road via a local access to its south (**Plan A-2**). According to the applicant, the proposal involves nine single-storey temporary structures with building heights ranging from 3m to 8.23m and a total floor area of about 1,600m² for vehicle repair workshop, warehouse (excluding dangerous goods godown), logistics centre, and office uses (**Drawing A-1**). The remaining uncovered area (about 21,563m² or 93% of the Site) is proposed for container storage yard, container vehicle park, open storage of miscellaneous goods, parking spaces or loading/unloading (L/UL) spaces and circulation space. The operation hours are between 9:00 a.m. and 7:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. Not more than 15 staff members will be at the Site at any one time. No visitors are anticipated at the Site as the proposal does not involve shop and services activities.
- 1.4 The existing 12m-wide vehicular run-in/out at the southern boundary of the Site will be maintained by the applicant at his own expense (**Drawing A-1**). A total of 25 parking spaces (including 12 for private cars (5m (L) × 2.5m (W) each), five for light goods vehicles (LGVs) (7m (L) × 3.5m (W) each) and eight for container vehicles (16m (L) × 3.5m (W) each)) and 10 L/UL spaces (including one for LGV (7m (L) × 3.5m (W) each) and nine for container vehicles (16m (L) × 3.5m (W) each)) will be provided at the Site. Various traffic management measures, including (i) provision of sufficient maneuvering space within the Site; (ii) deployment of on-site staff to manage traffic entering/exiting the Site; (iii) prohibition of vehicles without valid licenses issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations from being parked/stored at the Site; and (iv) installation of traffic signs, would be implemented to ensure that there is no queuing back from the Site onto the public roads and to enhance the pedestrian safety in the area.
- 1.5 The applicant also applies for regularisation of filling of land for the entire Site by concrete of not more than 0.2m in depth (to a level of not more than +15.4mPD) for site formation of structures, parking spaces and circulation area (**Drawing A-3**), which forms part of the approved scheme under the previous application. No further tree felling will be involved at the Site. The proposed drainage system comprising a storage tank as well as U-channels and catchpits along the site boundaries will be implemented and well maintained (**Drawing A-4**). Environmental mitigation measures, including (i) provision of not less than 3m setback along the western boundary to minimise the disruption to Ping Yuen River (**Drawing A-1**); (ii) erection of 2.5m-high solid metal fencing along the site boundaries; and (iii) provision of septic tank and soakaway system for the sewage generated at the Site and meeting the requirements of the 'Professional Persons Environmental Consultative Committee Practice Notes' (ProPECC) No. 1/23 with certification by an Authorised Person, will be implemented to minimise potential environmental nuisance to the nearby sensitive receivers. The layout plan, tenants' distribution, land filling plan as well as drainage plan are shown in **Drawings A-1 to A-4** respectively.
- 1.6 The Site is the subject of a previous application (No. A/NE-HLH/77) submitted by the same applicant for the same uses as the current application, which was approved with conditions by the Rural and New Town Planning Committee (the

Committee) of the Board on 22.11.2024. Compared with the previous application, the layout and major development parameters under the current application are the same. Details of the previous application are set out in paragraph 6 below.

1.7 In support of the application, the applicant has submitted the following documents:

- (a) Application Form received on 2.6.2026 (Appendix I)
- (b) Planning Statement received on 2.6.2026 (Appendix Ia)
- (c) Further Information (FI) received on 14.7.2026[^] (Appendix Ib)
[^]accepted and exempted from the 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, Planning Statement and FI at **Appendices I to Ib**, as summarised below:

- (a) the application is submitted to facilitate the relocation of eight business operators which have been or will be resumed by the Government to make way for major development projects, including FLN NDA (Remaining Phase), STT Development (Phase 2) and public housing development at Sha Po, Yuen Long. The current application is submitted by the same applicant for the same uses as the previously approved application (No. A/NE-HLH/77);
- (b) the applicant has previously spent considerable efforts in identifying alternative sites in the New Territories (e.g. Sheung Pak Nai, Lau Fau Shan, Ma Tso Lung, Man Kam To and Lin Ma Hang) but those sites were considered not suitable or impracticable due to reasons such as land use incompatibility, environmental concerns, land ownership issues and poor accessibility, etc. The Site, which is relatively flat, close to various boundary control points and easily accessible, was identified in 2024 for the relocation of the affected business operators;
- (c) the applied uses are temporary in nature, and approval of the application will not frustrate the long-term planning intention of the “AGR” zone and will optimise the use of precious land resources;
- (d) the applied uses are considered not incompatible with the surrounding areas, which are predominantly occupied by various brownfield operations. Furthermore, there are similar applications approved by the Committee in the immediate vicinity of the Site;
- (e) the applicant undertakes to strictly comply with all environmental protection/pollution control ordinances, and to follow the requirements of the latest ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ (‘COP’), ProPECC No. 1/23 and 2/23. Relevant environmental mitigation measures will be implemented on-site to minimise adverse environmental nuisances as detailed in paragraph 1.5 above. The applicant will also implement and maintain the traffic management measures as detailed in paragraph 1.4 above. In general, the applied uses would not induce significant adverse traffic, environmental, drainage and landscape impacts and fire

safety issue on the surrounding areas; and

- (f) the applicant has made genuine efforts to comply with all approval conditions under the previously approved application (No. A/NE-HLH/77). Except for the approval conditions related to the implementation of drainage and fire service installations (FSIs) proposals, all other approval conditions have been complied with prior to the submission of the current application¹. Relevant preparatory works such as inviting quotations from professional contractors are currently in progress. The applicant has already submitted a Short Term Waiver (STW) application to the Lands Department (LandsD) to regularise the proposed structures on-site, which is currently being processed. To ensure a smooth relocation for the affected brownfield operators, the applicant will implement the accepted proposals for compliance with all the approval condition as soon as all outstanding lands issues have been settled.

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 publishing notices in local newspapers and sending a notice to Ta Kwu Ling District Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

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) promulgated on 14.4.2023 is relevant to this application. The Site falls largely within Category 3 areas with a minor portion within Category 2 areas under TPB PG-No. 13G. Relevant extracts of the Guidelines are attached at **Appendix II**.

5. Background

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

6. Previous Application

- 6.1 The Site is the subject of a previous application (No. A/NE-HLH/77) submitted by the same applicant for the same uses as the current application, which was approved with conditions by the Commite on 22.11.2024 mainly on the considerations that the proposed uses were not incompatible with the surrounding land uses; and the application generally complied with TPB PG-No. 13G in that

¹ For application No. A/NE-HLH/77, the approval conditions related to the submission of a revised drainage impact assessment (DIA) and a FSIs proposal, the provision of fire extinguisher(s), and the implementation of traffic management measures have already been complied with. However, the approval conditions related to implementation of driange and FSIs proposal, which are required to be complied with on or before 22.8.2026, are yet to be complied with.

policy support from the Secretary for Development (SDEV) was given to facilitate relocation of business operations affected by government development projects; and there were no major adverse departmental comments or concerns of the relevant government departments could be addressed through implementation of approval conditions.

- 6.2 Details of the previous application are summarised at **Appendix III** and its location is shown on **Plan A-1**.

7. Similar Applications

- 7.1 There are 23 similar applications involving 18 sites for temporary open storage use within the same “AGR” zone in the past five years (**Plan A-1**).
- 7.2 Amongst them, 22 similar applications (No. A/NE-HLH/51, 54, 55, 59, 60, 61, 64, 66, 68, 70, 71, 75, 76, 79, 81 to 85, and 88 to 90) were approved with conditions between 2021 and 2026 mainly on the considerations that the application site was reclassified from Category 3 to Category 2 areas under TPB PG-No. 13F/13G; the application generally complied with TPB PG-No. 13F/13G in that no major adverse departmental comments were received on the application and the concerns of the relevant government departments could be addressed through implementation of approval conditions.
- 7.3 The remaining one application (No. A/NE-HLH/80), which falls within Category 3 areas under TPB PG-No. 13G, was also approved with conditions by the Committee in 2025 mainly on the considerations that SDEV rendered policy support to the application for relocation of brownfield operation affected by government projects; no major adverse departmental comments were received on the application; and the concerns of the relevant government departments could be addressed through implementation of approval conditions.
- 7.4 Details of the similar applications are summarised at **Appendix IV** and their location is shown on **Plan A-1**.
- 7.5 For Members’ information, application No. A/NE-HLH/92 for temporary warehouse and open storage of construction materials and scrap metal with ancillary facilities for a period of three years will be considered at the same meeting.

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

- 8.1 The Site is:
- (a) partly fenced-off, largely hard-paved, and currently used for the applied uses with a valid planning permission;
 - (b) bounded by Ping Yuen River to the immediate northwest; and
 - (c) accessible from Man Kam To Road/Ping Che Road via a local access to its south.

- 8.2 The surrounding areas are of rural character comprising open storages, warehouse/storage yards, temporary structures, fallow agricultural land, vacant land and unused land covered by tree clusters or vegetated areas. To the immediate east of the Site is a cluster of proposed/existing open storage yards/warehouses covered by valid planning permissions (applications No. A/NE-HLH/68, 80 and 89). To the north across Ping Yuen River is a vegetated knoll zoned “Green Belt”.

9. Planning Intention

- 9.1 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.
- 9.2 According to the Explanatory Statement of the OZP, planning permission from the Board is required for filling of land within the “AGR” zone, as the activity may cause adverse drainage and environmental impacts on the adjacent areas.

10. Comments from Relevant Government Departments

- 10.1 Apart from the government bureau and departments as set out in paragraphs 10.2 to 10.4 below, other 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 V** and **VI** respectively.
- 10.2 The following government bureau supports the application:

Policy Support

Comments of SDEV:

- (a) she supports the application from policy aspect subject to no adverse comments on land use compatibility and technical aspects from concerned departments, from the perspective of ensuring timely development of the government projects, as well as facilitating the continued operation of displaced brownfield operations still meeting the need of economy;
- (b) the application is to facilitate the relocation of eight business operations, which is/will be affected by various government development projects (i.e. FLN NDA, STT Development (Phase 2) and ~~public housing development at Sha Po, Yuen Long~~ ***an undergoing land use review for development at Au Tau.*** According to the applicant, a site search was conducted with a view to identifying a suitable site for re-establishment of the affected business operations, and that the Site is considered the most suitable for the relocation. While the site area is larger than the total site area of the original premises, the applicant has explained that a larger site is considered necessary to enhance overall site efficiency and to minimise adverse traffic impact to the surrounding road network;
- (c) it is noted that the current application is a subsequent case of a previously

approved application No. A/NE-HLH/77, submitted by the same applicant for the same uses at the Site. Facilitating relocation of affected brownfield operations is crucial to the smooth clearance for and implementation of the above government projects; and

- (d) it should however be noted that the Site falls within the boundary of the proposed New Territories North New Town. The Site may be required for other uses in the future while there is no objection to the applied temporary uses a period of three years.

10.3 The following government departments do not support the application:

Agriculture and Nature Conservation

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

Agriculture

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

Nature Conservation

- (b) he has no comment on the application from nature conservation perspective; and
- (c) his advisory comments are at **Appendix VI**.

Environment

10.3.2 Comments of the Director of Environmental Protection (DEP):

- (a) he does not support the application from environmental planning perspective since heavy vehicle is involved and domestic dwellings are identified within 100m from the Site (**Plan A-2**);
- (b) he has no comment on the applied filling of land since no further filling of land will be carried out;
- (c) there was no environmental complaint case related to the Site in the past three years; and
- (d) his advisory comments are at **Appendix VI**.

10.4 The following government department provides views on the application:

Traffic

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

- (a) he has no comment on the application from traffic engineering perspective;
- (b) taking into consideration the location of the Site and the users, etc., should the application be approved, the following approval conditions are recommended:
 - (i) the implementation of traffic management measures, as proposed by the applicant, to the satisfaction of C for T or of the Board; and
 - (ii) in relation to (i) above, the implemented traffic management measures shall be maintained at all times during the planning approval period; and
- (c) her advisory comments are at **Appendix VI**.

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, one public comment was received from an individual (**Appendix VII**) objecting to the application on the grounds that the previous application (No. A/NE-HLH/77) was approved by the Committee mainly due to the policy support from the SDEV; the planning conditions under the previous application have not been fully complied with; and the provision of a 3m setback along the western boundary fronting Ping Yuen River was considered insufficient due to the on-site drainage conditions.

12. Planning Considerations and Assessments

12.1 The application is for temporary container storage yard, container vehicle park, vehicle repair workshop, logistics centre, warehouse and open storage of miscellaneous goods with ancillary facilities and associated filling of land for a period of three years at the Site zoned “AGR” on the OZP (**Plan A-1**). The applied uses are not in line with the planning intention of the “AGR” zone. DAFC does not support the application from agricultural perspective. Nonetheless, noting that the application is submitted to facilitate the relocation of eight existing brownfield operations affected by FLN NDA (Remaining Phase), STT Development (Phase 2) and ~~public housing development at Sha Po, Yuen Long~~ **an undergoing land use review for development at Au Tau**, and the Site is the most suitable relocation site as identified by the applicant, SDEV supports the application from the perspective of ensuring timely development of the government projects and delivery of the housing yield, as well as facilitating the continued operation of displaced brownfield operations still meeting the need of economy. Taking into account the planning assessments below and the policy support given by SDEV, there is no objection to the applied uses with associated filling of land on a temporary basis for a period of three years.

- 12.2 The proposal involves regularisation of filling of land for the entire Site with concrete of not more than 0.2m in depth (to a level of not more than +15.4mPD) as detailed in paragraph 1.5 above (**Drawing A-3**). 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 and DEP have no adverse comment on the applied filling of land from public drainage and environmental planning 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.
- 12.3 The Site, which is partly fenced-off, largely hard-paved and currently used for the applied uses with a valid planning permission, is situated within an area of rural character mainly comprising open storage, warehouse/storage yards, temporary structures, fallow agricultural land, vacant land and unused land covered by tree clusters or vegetated areas (**Plans A-2 to A-4b**). A cluster of proposed/existing open storage yards/warehouses covered by valid planning permissions (applications No. A/NE-HLH/68, 80 and 89) is located to the immediate east (**Plans A-1 and A-2**). The proposed uses are considered not incompatible with the surrounding environments. The Chief Town Planner/Urban Design & Landscape, Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective, and considers that significant adverse landscape impact arising from the applied uses is not anticipated.
- 12.4 While DEP does not support the application from environmental perspective as the applied uses involve use of heavy vehicle and environmental nuisance on the sensitive users in the vicinity is expected, there was no environmental complaint case related to the Site in the past three years. To minimise potential environmental nuisance to the nearby sensitive receivers, relevant environmental mitigation measures have been proposed by the applicant as detailed in paragraph 1.5 above. Should the application be approved, the applicant will be advised to follow the requirements of the latest ‘COP’ to minimise the possible environmental nuisance on the surrounding areas. Taking into account the location of the Site and the applied uses, whilst C for T has no comment on the application from traffic engineering perspective, she advises to impose approval conditions on the implementation and maintenance of traffic management measures as proposed by the applicant. Other concerned government departments consulted, including the Director of Fire Services, have no objection to or no comment on the application. To address the technical requirements of concerned government departments, appropriate approval conditions are recommended in paragraph 13.2 below. Regarding DLO/N, LandsD’s concerns on the unauthorised structures erected within the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 12.5 The Site falls largely within Category 3 areas with a minor portion within Category 2 areas under the TPB PG-No. 13G. The current application is generally in line with TPB PG-No. 13G in that policy support is rendered by SDEV to the application for relocation of the affected uses to the Site; and there are no major adverse departmental comments on the application and their

concerns can be addressed through imposition of approval conditions.

- 12.6 The Site is the subject of a previously approved application (No. A/NE-HLH/77) submitted by the same applicant for the same uses as detailed in paragraph 6.1 above. Besides, there are 23 similar applications for open storage/warehouse use within the same “AGR” zone approved by the Committee between 2021 and 2026 as detailed in paragraphs 7.1 to 7.3 above. The planning circumstances of the current application are similar to those of the approved applications. Approval of the current application is in line with the Committee’s previous decisions.
- 12.7 Regarding public comment as detailed in paragraph 11 above, the government departments’ comments and the planning assessments above are relevant.

13. Planning Department’s Views

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comment in paragraph 11 above, PlanD 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 suggested for Members’ reference:

Approval Conditions

- (a) the implementation of the drainage proposal identified in the accepted drainage impact assessment 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 24.4.2027;
- (b) in relation to (a) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (c) the submission of a revised fire service installation 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 revised 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) the implementation of the traffic management measures, as proposed by the applicant, within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board by 24.4.2027;
- (f) in relation to (e) above, the implemented traffic management measures shall be maintained at all times during the planning approval period;

- (g) if any of the above planning condition (b) or (f) 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;
- (h) if any of the above planning condition (a), (c), (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
- (i) upon expiry of the planning permission, the reinstatement of the Site, including the removal of hard paving and fill materials, 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 VI**.

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

the proposed uses with associated filling of land are 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.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant the 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 received on 2.6.2026
Appendix Ia	Planning Statement received on 2.6.2026
Appendix Ib	FI received on 14.7.2026
Appendix II	Relevant Extracts of TPB PG-No. 13G
Appendix III	Previous Application
Appendix IV	Similar Applications
Appendix V	Government Departments' General Comments
Appendix VI	Recommended Advisory Clauses

Appendix VII	Public Comment
Drawing A-1	Layout Plan
Drawing A-2	Details of Tenants and Proposed Structures
Drawing A-3	Land Filling Plan
Drawing A-4	Drainage Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3a and A-3b	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
JULY 2026**