

**Application for Renewal of Planning Approval
for Temporary Use
Under Section 16 of the Town Planning Ordinance**

Application No. A/NE-TKL/842

1. <u>Proposal</u>	
Applicant	Mr. LAI Kwok Leung represented by Aikon Development Consultancy Limited
Site (Plan A-2)	Various Lots in D.D. 82 and Adjoining Government Land (GL), Ping Che, Ta Kwu Ling
Site Area	About 5,032.5m ² (including GL of about 41.6m ² or 0.8%)
Zoning and Outline Zoning Plan (OZP) No.	“Agriculture” (“AGR”) on the approved Ping Che and Ta Kwu Ling OZP No. S/NE-TKL/14
Application	Renewal of Planning Approval for Temporary Open Storage of Construction Materials, Equipment and Machineries with Ancillary Storage of Construction Equipment, Machineries, Tools and Site Office for a Period of Three Years
Site Context and the Current Proposal	The application site (the Site) is accessible via Ping Che Road (Plan A-2). According to the applicant, the proposal comprises an open storage area of about 2,500m ² (about 50% of the Site), as well as eight temporary structures and 16 converted-containers (one to three-storey at 2.6m to 7.8m in height) with a total floor area of about 900m ² for ancillary storage of small construction tools/equipment and site office. Three private car parking spaces (2.5m (W) x 5m (L) each) as well as three loading/unloading (L/UL) bays including two for light goods vehicles (3.5m (W) x 7m (L) each) and one for heavy goods vehicles (3.5m (W) x 11m (L) each) are provided within the Site. All vehicles entering and exiting the Site would be restricted to non-peak hours (i.e. from 10:00 a.m. to 4:00 p.m.) during operation. The operation hours of the applied use are between 7:00 a.m. and 11:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. The layout plan submitted by the applicant is at Drawing A-1 .
Last Previous Relevant Application ¹	Application No. A/NE-TKL/734 approved with conditions on 11.8.2023 for a period of three years until 11.8.2026, which was submitted by the same applicant for the same use.

¹ The Site, in part or in whole, is the subject of ten previous applications (No. A/DPA/NE-TKL/63 and 77 and A/NE-TKL/26, 63, 158, 390, 454, 555, 642 and 734) for various temporary open storage uses (**Plan A-1b**). The former four applications were rejected by the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) or the Board on review between 1993 and 1998. The last six applications were approved with conditions for a period of three years by the Committee or the Board on review between 2001 and 2023.

	When compared with the approved previous application No. A/NE-TKL/734, the current application mainly involves a reduction in number of converted-containers from 18 to 16 (-2 / -11%), reduction in total floor area from 929m² to 900m² (-29m² / -3%) and corresponding change in layout. (Please refer to https://www.tpb.gov.hk/uploads/page/meetings/RNTPC/A_NE-TKL_734/A_NE-TKL_734_MainPaper.pdf for details of the last previous relevant application)
Justifications from the Applicant (Appendices I, Ia and Ic)	(a) There were previously approved applications for open storage uses within the Site. (b) There is no substantial change in planning circumstances and surrounding area since the approval of the last application. Except for a reduction in number of structures and total floor area, there is no change in other development parameters and nature/operation of the applied use. The applicant has complied with all the approval conditions under the last planning approval. (c) The application will not be contrary to 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). (d) The temporary nature of the applied use would not jeopardise the long-term planning intention of the “AGR” zone. (e) The applied use is considered fully commensurate with its local geographical setting and ideal to attain utmost land use maximisation without giving rise to detrimental impacts on the environment. (f) No adverse impacts on infrastructural and environmental aspects are anticipated. The existing landscape treatment, drainage provision and fire safety provision would be properly maintained. Applications for Short Term Tenancy (STT) and Short Term Waiver (STW) for erecting structures and occupation of GL at the Site have been submitted to the Lands Department (LandsD).
Compliance with the “Owner’s Consent/ Notification” requirements ²	The applicant is one of the “current land owners” of the Site and has notified/obtained consents from other current land owners. For the GL portion, the requirements are not applicable.

² As set out in TPB Guidelines on Satisfying the ‘Owner’s Consent/Notification’ Requirements under Sections 12A and 16 of the Town Planning Ordinance ([TPB PG-No. 31B](#)). Detailed information would be deposited at the meeting for Members’ inspection.

2. Planning Considerations and Assessments				
	<u>Criteria</u>	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
(a)	In line with TPB PG No. 34D³, including: i. no material change in planning circumstances since the previous approval was granted (e.g. a change in planning policy/zoning for the area) or land uses of surrounding areas); ii. no adverse planning implications arising from the renewal of the planning approval (e.g. pre-emption of planned permanent development); iii. all the time-limited approval conditions under the previous approval have been complied with; and iv. the 3-year approval period sought does not exceed the duration of the last approval.	✓		While the applied use is not in line with the planning intention of the “AGR” zone, the Director of Agriculture, Fisheries and Conservation has no strong view against the renewal application from agricultural perspective. In view of the above and taking account of the assessments below, there is no objection to the applied use on a temporary basis for a further period of three years.
(b)	In line with TPB PG-No.13G ⁴	✓		Previous planning approvals have been granted.
(c)	Any other relevant considerations (e.g. minor change in layout/development parameters)?	✓		The current application involves a reduction in number of converted-containers (-2 / -11%) and total floor area (-29m ² / -3%) and corresponding change in layout, which could be regarded as minor changes.
(d)	Any adverse departmental comments?	✓		Relevant government departments consulted, except the District Lands Officer/North of Lands Department (DLO/N, LandsD), have no objection to or no adverse comment on the application (Appendix II).

³ TPB Guidelines No. 34D on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development.

⁴ TPB Guidelines No. 13G for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance.

				<u>Adverse Departmental Comments</u> - DLO/N, LandsD has adverse comments on the application in view of the unauthorised structures and illegal occupation of GL within the Site. DLO/N, LandsD also advises that the applicant has applied to his office for STW and STT to permit the structures to be erected and occupation of GL. <u>PlanD's Assessments</u> - To address the technical requirements of concerned government departments, relevant approval conditions are recommended in paragraph 4 below. The Commissioner for Transport has no comment on the application and recommends an approval condition restricting the time of vehicle entering/exiting the Site on the grounds of road safety and traffic management. The applicant will also be advised to follow the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' to minimise any potential environmental nuisance caused by the applied use. - Regarding DLO/N, LandsD's concern on the unauthorised structures erected within the Site and illegal occupation of GL, the application will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
(e)	Public comments received during statutory publication period	✓		During the statutory public inspection period, one public comment was received from a member of the North District Council indicating no comment on the application.

3. <u>Planning Department's View</u>
<u>No objection</u> to the application.

4. Decision Sought

- 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, and be renewed from 12.8.2026 to 11.8.2029. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval Conditions

- (a) all vehicles entering and exiting the Site shall be restricted to non-peak hours (i.e. from 10:00 a.m. to 4:00 p.m. on Mondays to Saturdays (excluding Sundays and Public Holidays)), as proposed by the applicant, during the planning approval period;
- (b) the existing drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (c) the compliance with fire safety requirements within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 12.5.2027;
- (d) if any of the above planning condition (a) or (b) 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;
- (e) if the above planning condition (c) 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
- (f) upon 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**.

- There is no strong reason to recommend rejection of the renewal application.

Attachments

Appendix I	Application Form received on 27.5.2026
Appendix Ia	Supporting Planning Statement
Appendix Ib	Further Information (FI) received on 8.6.2026
Appendix Ic	FI received on 14.7.2026
Appendix II	Government Departments with No Objection / No Adverse Comment
Appendix III	Recommended Advisory Clauses
Appendix IV	Public Comment
Drawing A-1	Layout Plan
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan

**PLANNING DEPARTMENT
JULY 2026**