

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-FTA/283

- Applicant** : 同興車行有限公司
- Site** : Various Lots in D.D. 89 and Adjoining Government Land (GL), Man Kam To Road, Sha Ling, Sheung Shui
- Site Area** : About 10,454m² (including GL of about 1,182m² or about 11% of the Site)
- Lease** : Block Government Lease (demised for agricultural use)
- Lot 562 S.F in D.D. 89 is a mixed lot (i.e. house and agricultural use)
- Part of Lot 565 in D.D. 89 is covered by a Building Licence No. BL824/55 for house purpose
- Lots 558 RP and 561 RP in D.D. 89 are covered by Short Term Waiver (STW) No. 1728, and Lots 562 S.F, 564 S.B and 567 in D.D. 89 are covered by STW Nos. 1733, 1734 and 1735 respectively for vehicle repair workshop and ancillary facilities use
- Plan** : Approved Fu Tei Au and Sha Ling Outline Zoning Plan (OZP) No. S/NE-FTA/18
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Vehicle Repair Workshop (Including Container Vehicles, Medium and Heavy Goods Vehicles) and Shop and Services (Vehicle Sales and Rental) with Ancillary Office and Associated Filling of Land for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary vehicle repair workshop (including container vehicles, medium and heavy goods vehicles) and shop and services (vehicle sales and rental) with ancillary office 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, comprising two platforms (i.e. the lower platform at the northern portion and the upper platform at the eastern portion), is largely hard-paved¹, fenced-off, partly under construction and partly vacant with parking of some vehicles (**Plans A-4a to A-4c**).

¹ According to records, part of the Site zoned “AGR” has been hard-paved before the date of imposing a land filling clause pertaining to the zone under the draft Fu Tei Au and Sha Ling OZP No. S/NE-FTA/8 gazetted on 29.4.2005.

- 1.2 According to the applicant, the application is submitted to facilitate the relocation of his current business operations in Fanling North being affected by the government project, i.e. the Kwu Tung North/Fanling North New Development Area (KTN/FLN NDA)². The affected operations involve a total site area of about 9,940m² for vehicle-related business operations, including vehicle repair workshop, vehicle sales and rental as claimed by the applicant. The affected land in Fanling North has been resumed by the Government.
- 1.3 The Site is accessible from its northeast via a local track leading to Man Kam To Road (**Plan A-2**). According to the applicant, the proposed uses consist of nine one-to-two-storey temporary structures with building height (BH) of not more than 9m and a total floor area of about 1,773m² for vehicle repair workshops, ancillary office, storage and E&M rooms. A total of 47 parking spaces including four for light goods vehicle (LGV) (7m(L) x 3.5m(W) each), 17 for medium goods vehicle (MGV) (11m(L) x 3.5m(W) each), 25 for heavy goods vehicle (HGV) (11m(L) x 3.5m(W) each) and one for articulated container vehicle (16m(L) x 3.5m(W)) will be provided within the Site. Amongst them, nine parking spaces at the western portion of the Site are proposed for MGV sales and seven parking spaces at the eastern portion are proposed for M/HGV rental. Two separate ingress/egress points of 12m and 10m in width are proposed at the northern (near Man Kam To Road) and eastern parts of the Site for the lower and upper platforms to serve as the main and secondary access respectively. The operation hours are between 8:30 a.m. and 6:30 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. The layout plan submitted by the applicant is shown in **Drawing A-1**. The applicant also applies for filling of the entire site at a depth of not more than 0.15m for site formation purpose³.
- 1.4 According to the traffic management measures proposed by the applicant, sufficient manoeuvring space and visitor parking spaces will be provided within the Site to avoid vehicles queuing back onto the local road; barrier gates with flashing lights and audio warning devices as well as warning signs will be installed at the ingresses/egresses to ensure pedestrian safety; signages will be installed to indicate that articulated container vehicles will not be allowed to enter/exit the Site via the eastern ingress/egress point and to turn left onto the southbound lane of Man Kam To Road when exiting the Site; advance booking will be required for vehicles entering the Site; and staff will be deployed to manage vehicles entering/exiting the Site. According to the environmental mitigation measures proposed by the applicant, the Site will be hard-paved to minimise dust impacts due to vehicle movements; workshop activities will be conducted within enclosed structures as far as practicable and metal fence will be erected along the boundaries of the Site to minimise noise and dust impacts to the surrounding area; and waste engine oil and other chemical wastes will be collected in dedicated containment barrels with periodic disposal by certified party to avoid environmental contamination. In terms of sewage treatment, all domestic sewage from the portable toilets on-site will be regularly collected and disposed of at approved facilities by a licensed waste contractor.

² According to the applicant, the current business operations in Fanling North comprise three associated companies, namely Tung Heng Vehicles Limited (i.e. the applicant), Tung Heng Cars Company Limited and Easy Vehicle Rent Limited. The applicant undertakes that the Site will be utilised by these affected brownfield operators upon approval of the planning application.

³ According to our records, planning permission for associated filling of land with an area of about 8,140m² (about 78% of the Site) was previously granted under Application No. A/NE-FTA/267.

- 1.5 The Site is the subject of eight previous applications (No. A/NE-FTA/159, 174, 184, 193, 198, 212, 225 and 267) submitted by different/same applicants for various uses (**Plans A-1 and A-2**). Amongst them, the last previous application No. A/NE-FTA/267 for proposed temporary vehicle repair workshop submitted by the same applicant was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 24.10.2025, as detailed in paragraph 6.4 below. Compared with the last previous application, the current proposal mainly involves an additional use (i.e. shop and services), increases in site area as well as number of parking and L/UL spaces. A comparison of the major development parameters between the current application and the previous application is summarised as follows:

Major Development Parameters	Approved Scheme under Application No. A/NE-FTA/267 (a)	Revised Scheme under Current Application (b)	Differences (b) – (a)
Proposed Use	Proposed Temporary Vehicle Repair Workshop (including Container Vehicle, Medium and Heavy Goods Vehicle) with Ancillary Office and Associated Filling	Proposed Temporary Vehicle Repair Workshop (Including Container Vehicles, Medium and Heavy Goods Vehicles) and Shop and Services (Vehicle Sales and Rental) with Ancillary Office and Associated Filling of Land	Additional use involved
Site Area (about)	8,140m ²	10,454m ²	+2,314m ² (+28%)
• GL included (about)	-	1,182m ²	+1,182m ²
No. of Structures	9	9	No change
Total Floor Area (about)	1,773m ²	1,773m ²	No change
BH (not more than)	9m	9m	No change
No. of Parking Spaces	29	47	+18 (+62%)
• LGV	4	4	No change
• MGW	12	17	+5
• HGV	12	25	+13
• Articulated Container Vehicle	1	1	No change

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

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| (a) Application Form with attachments received on 2.6.2026 | (Appendix I) |
| (b) Supplementary Information (SI) received on 5.6.2026 | (Appendix Ia) |
| (c) Further Information (FI) received on 9.7.2026* | (Appendix Ib) |
| (d) FI received on 27.7.2026* | (Appendix Ic) |
| (e) FI received on 7.8.2026* | (Appendix Id) |

* accepted and exempted from publication and recounting requirements

- 1.7 On 24.7.2026, the Committee agreed to the applicant's request to defer making a decision on the application for two months.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form, SI and FIs at **Appendices I to Id**, as summarised below:

- (a) the application is submitted to facilitate the relocation of the applicant's existing business operations, which involve a total site area of about 9,940m², being affected by the implementation of KTN/FLN NDA. The companies have operated vehicle-related businesses including vehicle repair workshop, vehicle sales and rental services in Hong Kong for over 40 years;
- (b) the Site is the subject of a previously approved application No. A/NE-FTA/267 submitted by the same applicant for proposed temporary vehicle repair workshop (including container vehicle, medium and heavy goods vehicle). The applicant has made efforts to identify alternative sites for reprovisioning of its entire business operations. Given the acute difficulties and urgency in securing relocation sites, the applicant intends to consolidate the vehicle repair workshop, vehicle sales and rental services at the site of application No. A/NE-FTA/267 and its adjoining lot and GL. The current proposal only involves additional uncovered area for vehicular circulation and provision of parking spaces, with a view to enhancing operational efficiency and avoiding vehicles queuing back onto the local road. Approval of the current application is in line with the Committee's previous decision;
- (c) the proposed uses are considered not incompatible with the surrounding areas which are intermixed with temporary warehouses and vehicle-related uses;
- (d) the proposed uses are temporary in nature and approval of the application would not frustrate the long-term planning intention of the "AGR" zone. The applicant will reinstate the Site to an amenity area upon expiry of the planning permission;
- (e) no significant adverse impacts on environment, traffic and landscape are anticipated. Should the application be approved, the applicant will strictly comply with all environmental protection requirements, and follow relevant mitigation measures and requirements in the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' ('COP') to alleviate possible adverse impacts and nuisance to the surrounding areas; submit and implement drainage and fire service installations proposals; and carry out tree planting as appropriate; and
- (f) should the application be approved, the applicant will submit applications for STW and Short Term Tenancy to the Lands Department (LandsD).

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 obtaining consents of two current land owners and notifying the remaining two current land

owners. Detailed information would be deposited at the meeting for Members' inspection. For the GL portion, the "Owner's Consent / Notification" Requirements are not applicable.

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 within Category 3 areas under TPB PG-No. 13G. Relevant extracts of the Guidelines are attached at **Appendix II**.

5. Background

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

6. Previous Applications

- 6.1 The Site is the subject of eight previous applications (No. A/NE-FTA/159, 174, 184, 193, 198, 212, 225 and 267) submitted by different/same applicants for various uses.
- 6.2 Amongst them, three applications (No. A/NE-FTA/159, 184 and 212) for parking of container tractors/trailers/vehicles or logistics centre were rejected by the Committee or the Board on review between 2016 and 2022; two applications (No. A/NE-FTA/193 and 198) for place of recreation, sports or culture (hobby farm) were approved by the Committee between 2019 and 2020; and one application (No. A/NE-FTA/225) for logistics centre was approved with conditions by the Committee on 26.1.2024. Their considerations are not applicable to the current application which involves different uses.
- 6.3 Application No. A/NE-FTA/174, covering the northern portion of the Site, for proposed temporary vehicle repair workshop for MG, HGV, coach and container tractor submitted by a different applicant was rejected by the Committee in 2017 mainly for reasons of being not in line with the planning intention of "AGR" zone and no strong justification for departure from the planning intention; not complying with the then TPB PG-No. 13E in that no previous planning approval was granted to the site concerned; having adverse departmental comments; and being failed to demonstrate that the development would not generate adverse traffic, environmental and landscape impacts on the surrounding areas.
- 6.4 The last previous application No. A/NE-FTA/267 submitted by the same applicant of the current application for proposed temporary vehicle repair workshop (including container vehicle, medium and heavy goods vehicle) was approved with conditions by the Committee on 24.10.2025 mainly on the considerations that the application generally complied with the TPB PG-No. 13G in that it was for the reprovisioning of brownfield operation affected by the KTN/FLN NDA development and policy support from the Secretary for Development (SDEV) was given to the application; and there were no major adverse departmental comments on the application or relevant concerns could be addressed through implementation of approval conditions. The planning permission remains valid until 24.10.2028. Compared with the last previous application (No. A/NE-FTA/267), the current proposal mainly involves an additional use (i.e. shop and services), increases in site area as well as number of parking and L/UL spaces, as detailed in paragraph 1.5 above.

6.5 Details of the previous applications are summarised at **Appendix III** and their locations are shown in **Plan A-1**.

7. Similar Application

There is no similar application for vehicle repair workshop or shop and services within the same “AGR” zone on the OZP in the past five years.

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

8.1 The Site is:

- (a) comprising the lower platform at the northern portion and the upper platform at the eastern portion;
- (b) largely hard-paved, fenced-off, and partly under construction and partly vacant with parking of some vehicles; and
- (c) accessible from its north/northeast via a local track leading to Man Kam To Road.

8.2 The surrounding areas are rural in character comprising village cluster of Sha Ling Village (not a recognized village), temporary structures, domestic structures, vacant land and tree clusters. Domestic structures can be found in the vicinity with the nearest located at about 5m to the east of the Site. Two sites covered by valid planning permissions (applications No. A/NE-FTA/247 and 258) for proposed temporary warehouse and cold storage for poultry and distribution centre are located to the west/southwest across Man Kam To Road. Another site covered by a valid planning permission (application No. A/NE-FTA/255) for temporary rural workshop (timber yard and sawmill) is located to the further northeast of the Site. To the further south is the Border District Police Headquarters and Police Dog Unit and Force Search Unit Training School zoned “Government, Institution or Community”.

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 for “AGR” zone, as filling of land may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities.

10. Comments from Relevant Government Bureau/Departments

10.1 Apart from the government bureau/departments as set out in paragraphs 10.2 and 10.3 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 IV** and **V** respectively.

10.2 The following government bureau supports the application:

Policy Aspect

10.2.1 Comments of SDEV:

- (a) the application is to facilitate relocation of brownfield operations, which will be affected by the Remaining Phase development of FLN NDA;
- (b) 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. It is noted that the current application is a subsequent case of application No. A/NE-FTA/267, submitted by the same applicant at the same location with an enlarged site. The applicant has explained that the enlarged site is required for internal circulation, parking and manoeuvring space, and to consolidate the affected operations within one properly planned site; and
- (c) subject to no adverse comment on land use compatibility and technical aspects from relevant government departments, her policy support on the previous application No. A/NE-FTA/267 is still valid and is applicable to the current application.

10.3 The following government departments object to or do not support the application:

Land Administration

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

- (a) he has objection to the application;
- (b) the Site comprises Old Schedule Agricultural Lots in D.D. 89 held under the Block Government Lease, except Lots 562 S.F and 565 in D.D. 89, which contain the restriction that no structures are allowed to be erected without prior approval of the Government. Lot 562 S.F in D.D. 89 is a mixed lot (i.e. house and agricultural use). Apart from agricultural use, part of Lot 565 in D.D. 89 is covered by Building Licence No. BL824/55 for house purpose. The proposed ingress/egress of the Site is required to pass through both GL and the adjoining private lots. No right of access via GL is granted to the Site. The applicant should make his own arrangements for acquiring access to the Site. The Government shall accept no responsibility in such arrangements;
- (c) Lots 558 RP and 561 RP in D.D. 89 are covered by STW No. 1728 for the purpose of “vehicle repair workshop with ancillary facilities” use with structure in a total built-over area not exceeding 221.53m² and in a height not exceeding 9m (not more than two-storey). Lots 562 S.F, 564 S.B and 567 in D.D. 89 are covered by STW Nos. 1733, 1734 and 1735 respectively for the purpose of “vehicle repair workshop with ancillary facilities” use with structures in the total built-over area not exceeding 570m², 420m² and 339.53m² respectively and in a height not exceeding 9m (not more than one-storey). While there will be no proposed structures on

Lot 567 in D.D. 89, the proposed sizes and/or uses of the structures on Lots 558 RP, 561 RP, 562 S.F and 564 S.B in D.D. 89 involved in the Site do not tally with those permitted under the STWs;

- (d) the following irregularities covered by the subject planning application have been detected by his office:

- (i) Unauthorised structure within the said private lot covered by the planning application

LandsD has reservation on the planning application since there are unauthorised structures and/or uses on Lot 481 S.A RP in D.D. 89 which is already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/regularise the lease breaches as demanded by LandsD; and

- (ii) Unlawful occupation of GL adjoining the said private lots covered by the planning application

a portion of the GL (adjoining Lots 565, 567 and 568 in D.D. 89) within the Site has been fenced-off/illegally occupied without permission. Any occupation of GL without Government's prior approval is an offence under the Land (Miscellaneous Provisions) Ordinance (Cap. 28). LandsD objects to the application since there is illegal occupation of GL which regularization would not be considered according to prevailing land policy. The lot owner(s) should immediately cease the illegal occupation of GL as demanded by LandD. His office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice;

- (e) the following irregularities not covered by the subject planning application have been detected by his office:

- (i) Unauthorised structures extended from the said private lots not covered by the planning application

there are unauthorised structures extended from (i) Lot 494 S.A RP to Lot 481 S.A RP in D.D. 89 and (ii) Lots 562 RP and 564 RP to 563 in D.D. 89, which are not covered by the subject planning application. The lot owners should immediately rectify the lease breaches, and his office reserves the rights to take necessary lease enforcement action against the breaches without further notice; and

- (ii) Unlawful occupation of GL not covered by the planning application

the GL adjoining Lot 568 in D.D. 89 has been fenced-off/illegally occupied without permission. The GL being illegally occupied is not included in the application. Any occupation of GL without Government's prior approval is an offence under Cap. 28. His office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice;

- (f) the lot owner/applicant shall remove the unauthorised structures and cease the illegal occupation of the GL not covered by the subject planning application immediately; and subject to the approval of the Board to the planning application which shall have reflected the rectification or amendment as aforesaid required, apply to his office for modification of STW Nos. 1728, 1733 and 1734, and for termination of STW No. 1735, if required. The application will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The application, if approved, will be on whole lot basis and subject to such terms and conditions including the payment of revised 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/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, and to take land control action for any unlawful occupation of GL. Besides, given the proposed uses are temporary in nature, only erection of temporary structures will be considered;
- (g) unless and until the unauthorised structures and the unlawful occupation of GL are duly rectified by the lot owners/applicant or entirely included in the subject planning application, his office has objection to the application and it must be brought to the attention of the Board when the application is being considered; and
- (h) his advisory comments are at **Appendix V**.

Agriculture

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

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

Environment

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

- (a) he is unable to lend support to the application from environmental planning perspective as the proposed uses involve the use of heavy vehicles and domestic dwellings are located within 100m from the site boundary (**Plan A-2**);
- (b) he has no comment on the proposed associated filling of land from environmental planning perspective subject to implementation of mitigation measures as listed in the Recommended Pollution Control Clauses (RPCC) for Construction Contracts;
- (c) there was one non-substantiated environmental complaint, which was related to disposal of construction and demolition waste in 2023 pertaining

to the Site received in the past three years; and

- (d) his advisory comments are at in **Appendix V**.

10.4 The following government department provides views on the application:

Traffic

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

- (a) she has no comment on the application from traffic engineering perspective;
- (b) taking into consideration the context of the Site including its location, existing adjacent developments, existing adjacent pedestrian footway, traffic conditions and requirement for vehicular access etc., should the application be approved, approval conditions on the submission and implementation of traffic management measures, as proposed by the applicant, before the commencement of any operation, and maintenance of the traffic management measures should be included; and
- (c) her advisory comments are at **Appendix V**.

11. Public Comments Received During Statutory Publication Period

On 9.6.2026, the application was published for public inspection. During the statutory public inspection period, a total of 50 public comments were received (**Appendix VI**), including representatives of 打鼓嶺沙嶺村居民福利會 (involving 68 signatures) and 49 villagers/ individuals (including 17 in the form of standard letters) objecting to the application mainly on the grounds that the proposed uses are not in line with the planning intention of the “AGR” zone and the Site should be retained for agricultural purpose; the proposed uses are incompatible with surrounding areas; the proposed uses will induce adverse traffic, environmental (dust, noise, waste, water), ecological, drainage, and landscape impacts on the surrounding village settlement; frequent heavy vehicle traffic on narrow village road will pose severe road safety risks to villagers, especially children and the elderly; no technical assessments were submitted to demonstrate that the proposed development would not cause adverse impacts; the Site is the subject of previously rejected applications; the Site involves suspected unauthorised development; approval of the application would set an undesirable precedent for similar applications in the area; and it is questionable whether the applicant has obtained consents of the current land owners of the Site.

12. Planning Considerations and Assessments

12.1 The application is for proposed temporary vehicle repair workshop (including container vehicles, medium and heavy goods vehicles) and shop and services (vehicle sales and rental) with ancillary office and associated filling of land for a period of three years at the Site zoned “AGR” on the OZP (**Plan A-1**). Although the proposed uses are not in line with the planning intention of the “AGR” zone and DAFC does not support the application from agricultural perspective, the application is submitted to facilitate the relocation of brownfield operations affected by the FLN NDA and policy support from SDEV has been given. Taking into account the planning assessments below and the policy support rendered by

SDEV, there is no objection to the proposed uses on a temporary basis for a period of three years.

- 12.2 The application involves filling of the entire site with concrete at a depth of not more than 0.15m for site formation purpose. 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 has no objection to the application from public drainage perspective, while DEP has no comment on the proposed associated filling of land from environmental perspective subject to implementation of mitigation measures as listed in the RPCC for Construction Contracts. 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, comprising the lower and upper platforms, is largely hard-paved, fenced-off, partly under construction and partly vacant with parking of some vehicles, and situated in an area of rural character intermixed with village cluster of Sha Ling Village, temporary structures, domestic structures, vacant land and tree clusters (**Plans A-2 to A-4c**). To the west/southwest across Man Kam To Road are the sites of two approved applications (No. A/NE-FTA/247 and 258) involving proposed temporary warehouse and cold storage for poultry and distribution centre (**Plan A-1**). The proposed uses are considered not entirely incompatible with the surrounding land uses. Noting that significant adverse impact on existing landscape resources within the Site is not anticipated, the Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective.
- 12.4 While DEP is unable to lend support to the application as the proposed uses involve the use of heavy vehicles and environmental nuisance on the sensitive receivers (i.e. domestic structures) in the vicinity of the Site is expected (**Plan A-2**), no substantiated environmental complaint pertaining to the Site was received in the past three years, and the applicant proposes various environmental mitigation measures as mentioned in paragraph 1.4 above to minimise dust impacts, noise nuisance and contamination arising from the proposed uses. Should the application be approved, the applicant will be advised to follow the latest ‘COP’ to minimise the possible environmental nuisances on the surrounding areas, and to implement relevant mitigation measures listed in the RPCC for Construction Contracts during land filling. Other concerned government departments consulted, including the Director of Fire Services, have no objection to or no adverse comment on the application. While C for T has no comment on the application from traffic engineering perspective, she recommends imposing approval conditions on the submission and implementation of traffic management measures, as proposed by the applicant, before the commencement of any operation, and maintenance of the traffic management measures, taking into consideration its location, existing adjacent developments, existing adjacent pedestrian footway, traffic conditions and requirement for vehicular access. To address the technical requirements of concerned government departments, appropriate approval conditions are recommended in paragraph 13.2 below. Regarding DLO/N, LandsD’s concern on the unauthorised structures and unlawful occupation of GL, 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 within Category 3 areas under the TPB PG-No. 13G. The application generally complies with the TPB PG-No. 13G in that policy support is rendered by SDEV to the application for relocation of the affected use to the Site; no major adverse

departmental comments have been received on the application; and the concerns of the relevant government departments can be addressed through implementation of approval conditions.

- 12.6 A major part of the Site is the subject of a previously approved application (No. A/NE-FTA/267) (**Plans A-1 and A-2**) submitted by same applicant for proposed temporary vehicle repair workshop (including container vehicle, medium and heavy goods vehicle) as mentioned in paragraph 6.4 above. The planning circumstances of the current application are similar to those of the approved application. Approval of the current application is in line with the Committee's previous decision.
- 12.7 Regarding the public comments mentioned in paragraph 11 above, the government bureau/departments' comments and the planning assessments above are relevant. For the public comments querying that the applicant had not been authorised by the land owner(s) to submit the application, the applicant has complied with the requirements as set out in TPB PG-No. 31B as mentioned in paragraph 3 above. Should the application be approved, the applicant will be advised to resolve any land issues relating to the development with the concerned owner(s) of the Site.

13. Planning Department's Views

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comments mentioned 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 28.8.2029. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval Conditions

- (a) the submission and implementation of traffic management measures, as proposed by the applicant, before the commencement of any operation to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) in relation to (a) above, the implemented traffic management measures shall be maintained at all times during the planning approval period;
- (c) the submission of a drainage impact assessment within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 28.2.2027;
- (d) in relation to (c) above, the implementation of the flood mitigation measures proposed in the accepted drainage impact assessment and any other stormwater drainage facilities 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 28.5.2027;
- (e) in relation to (d) above, the implemented flood mitigation measures and any other stormwater drainage facilities shall be maintained at all times during the planning approval period;

- (f) 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 28.2.2027;
- (g) in relation to (f) 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 28.5.2027;
- (h) if the above planning condition (a) is not complied with before the commencement of any operation, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (i) if any of the above planning condition (b) or (e) 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;
- (j) if any of the above planning condition (c), (d), (f) or (g) 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
- (k) upon the 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 V**.

- 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 such 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 with attachments received on 2.6.2026
Appendix Ia	SI received on 5.6.2026
Appendix Ib	FI received on 9.7.2026
Appendix Ic	FI received on 27.7.2026
Appendix Id	FI received on 7.8.2026
Appendix II	Relevant Extracts of TPB Guidelines No. TPB PG-No. 13G
Appendix III	Previous Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comments
Drawing A-1	Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3a and A-3b	Aerial Photos
Plans A-4a to A-4c	Site Photos

**PLANNING DEPARTMENT
AUGUST 2026**