

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTN/1258

- Applicant** : Mr. TANG Lam Piu represented by R-riches Planning Limited
- Site** : Lot 1434 (Part) in D.D. 107, Kam Tin North, Yuen Long
- Site Area** : About 498m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land and Pond for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary warehouse (excluding dangerous goods godown) with ancillary facilities and associated filling of land and pond for a period of three years at the application site (the Site), which falls within an area zoned “AGR” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). Filling of land or pond in the “AGR” zone also requires planning permission from the Board. The Site is currently hard-paved, largely fenced-off and used for open storage of construction materials without valid planning permission (**Plans A-2 and A-4**).
- 1.2 The Site is accessible from Shui Mei Road via local tracks (**Plans A-1 to A-3**). According to the applicant, the proposed use for storage of miscellaneous goods (such as packaged food, apparel, footwear, electronic goods, construction materials and machineries) involves two single-storey structures with height of not more than 7m and a total floor area of about 379m² for warehouses and covered loading/unloading (L/UL) area (**Drawing A-1**). One L/UL space for light goods vehicle will be provided at the Site. The applicant also applies for regularisation of filling of land for about 250m² (about 50.2% of the Site) with concrete of not more than 0.2m in depth and regularisation of filling of pond for about 248m² (about 49.8% of the Site) with soil and concrete of not more than 1.2m in depth, to a level of not more than 9.8mPD for the entire Site, for site

formation and vehicular circulation (**Drawing A-2**). No further land and pond filling will be undertaken under the application. Peripheral fencing of 2.5m in height is erected along the site boundary on all sides to minimise potential nuisance. No open storage, storage of dangerous goods, dismantling, maintenance, recycling, cleansing, paint spraying or other workshop activities will be involved at the Site at all times. The operation hours will be between 8:00 a.m. and 7:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. Plans showing the site layout and land/pond filling areas submitted by the applicant are on **Drawings A-1** and **A-2** respectively.

- 1.3 The Site is the subject of a previous application No. A/YL-KTN/979 for the same use submitted by the same applicant as the current application (details at paragraph 5 below), which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board in 2024, and the planning permission was subsequently revoked in 2026 due to non-compliance with approval conditions. Compared with the previous application, the current application remains unchanged in terms of site area/boundary, layout and major development parameters.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 8.7.2026 (**Appendix I**) and 15.7.2026
 - (b) Further Information (FI) received on 21.8.2026* (**Appendix Ia**)
- * accepted and exempted from 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 at **Appendices I** and **Ia**, and can be summarised as follows:

- (a) the proposed use can support the pressing demand for warehouse use in the New Territories in recent years. The temporary nature of the application will not frustrate the long-term planning intention of the “AGR” zone. There is no active agricultural activity within and in the vicinity of the Site, and the proposed use is not incompatible with the surrounding areas. There are similar applications approved within the same “AGR” zone in the vicinity;
- (b) the permission under the previous application No. A/YL-KTN/979 was revoked due to non-compliance with approval conditions related to implementation of drainage and fire service installations (FSIs) proposals. In support of the current application, the applicant has submitted the relevant drainage and FSIs proposals;
- (c) the proposed use will generate infrequent trips. Sufficient space will be provided for vehicles to manoeuvre smoothly within the Site. Adverse impacts on the surrounding areas are not anticipated; and
- (d) the applicant indicates that he will rectify the use(s) at and adjoining the Site and conform to the scheme under the current application.

3. **Compliance with the ‘Owner’s Consent/Notification’ Requirements**

The applicant is not a ‘current land owner’ but has complied with the requirement as set out in the Town Planning Board Guidelines on Satisfying the ‘Owner’s Consent/Notification’ Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by posting site notice and sending notice to the Kam Tin Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Background**

The Site is currently not subject to any active planning enforcement action. Subject to collection of sufficient evidence, appropriate enforcement action under the Town Planning Ordinance would be undertaken.

5. **Previous Application**

The Site is the subject of a previous application No. A/YL-KTN/979 for the same use submitted by the same applicant, which was approved with conditions by the Committee in 2024 mainly on the considerations that the proposed use on a temporary basis could be tolerated; the proposed use was not incompatible with the surrounding areas; and the relevant government departments consulted generally had no adverse comment or their concerns and public comment could be addressed by approval conditions. The planning permission was subsequently revoked in 2026 due to non-compliance with approval conditions related to implementation of drainage and FSIs proposals. Compared with the previous application, the proposal under the current application remains unchanged as mentioned in paragraph 1.3 above. Details of the previous application are summarised at **Appendix II** and its location is shown on **Plan A-1**.

6. **Similar Applications**

There are 52 similar applications for temporary warehouse with associated filling of land and/or pond (including five also involving open storage with/without container storage) within the same “AGR” zone in the vicinity of the Site in the past five years. All these applications were approved with conditions by the Committee between 2022 and 2026 mainly on the similar considerations as mentioned in paragraph 5 above. Details of the similar applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

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

7.1 The Site is:

- (a) currently hard-paved, largely fenced-off and used for open storage of construction materials without valid planning permission; and
- (b) accessible from Shui Mei Road via local tracks.

- 7.2 The surrounding areas are rural in character with an intermix of open storage/storage yards to the north, south and immediate east of the Site, as well as residential structures, plant nursery, grassland and vacant land scattered around. To the further west and east across local tracks are a cluster of active farmland and vegetated land, and woodland within the “Conservation Area” (“CA”) zone respectively (**Plans A-2 and A-3**).

8. Planning Intention

- 8.1 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.
- 8.2 According to the Explanatory Statement of the OZP for the “AGR” zone, as filling of land or pond may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities.

9. Comments from Relevant Government Departments

- 9.1 Apart from the government department as set out in paragraph 9.2 below, other departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses, if any, are provided at **Appendices III and IV** respectively.
- 9.2 The following government department does not support the application:

Agriculture, Fisheries and Nature Conservation

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

- (a) does not support the application from agricultural perspective as the Site possesses potential for agricultural rehabilitation;
- (b) the Site falls within the “AGR” zone. The agricultural activities are active in the vicinity, 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, plant nurseries, etc.;
- (c) no comment on the application from nature conservation perspective; and
- (d) as no existing fishpond is identified within the Site, there is no comment on the application from fisheries perspective.

10. Public Comment Received During Statutory Publication Period

On 17.7.2026, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual objecting to the application mainly on the grounds that the Site is located in proximity to the “CA” zone; there would be adverse drainage impacts on the surrounding areas; and the approval conditions under the previous application were not complied with (**Appendix V**).

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary warehouse (excluding dangerous goods godown) with ancillary facilities and regularisation of the associated filling of land and pond for a period of three years at the Site zoned “AGR” (**Plan A-1**). The proposed use is not in line with the planning intention of the “AGR” zone and DAFC does not support the application from agricultural perspective. However, taking into account the planning assessments below, there is no objection to the proposed use with associated filling of land and pond on a temporary basis for a period of three years.
- 11.2 Filling of land or pond in the “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the adjacent areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department and Director of Environmental Protection have no objection to the application from drainage and environmental planning perspectives respectively, and DAFC has no comment on the application from nature conservation and fisheries perspectives. 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.
- 11.3 The proposed use is considered not incompatible with the surrounding areas which are rural in character with an intermix of open storage/storage yards, residential structures, plant nursery, grassland and vacant land. The vegetated land and woodland within the “CA” zone are located to the further east, and there is no direct interface between the active farmland and vegetated land in the west and the Site, which is generally bounded by local tracks (**Plans A-2 and A-3**). The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective and considers that the proposed use is not incompatible with landscape setting in the proximity and significant adverse landscape impact arising from the proposed use is not anticipated.
- 11.4 Other relevant government departments consulted, including the Commissioner for Transport and Director of Fire Services (D of FS), have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the revised ‘Code of Practice on Handling the Environmental Aspects of

Temporary Uses and Open Storage Sites' to minimise any potential environmental nuisance caused by the proposed use.

- 11.5 The Site is the subject of an approved previous application No. A/YL-KTN/979 for the same use submitted by the same applicant as detailed in paragraph 5 above. Whilst the planning permission under the previous application was revoked in 2026 due to non-compliance with approval conditions related to implementation of drainage and FSIs proposals, in support of the current application, the applicant has submitted drainage and FSIs proposals, and the submitted FSIs proposal is considered acceptable by D of FS. In this regard, sympathetic consideration may be given to the current application. Should the application be approved by the Committee, the applicant will be advised that should he fail to comply with any of the approval conditions again resulting in revocation of the planning permission, sympathetic consideration may not be given to any further application.
- 11.6 There are also 52 approved similar applications involving temporary warehouse use with associated filling of land and/or pond in the vicinity of the Site in the past five years as mentioned in paragraph 6 above. Approving the current application is in line with the Committee's previous decisions.
- 11.7 Regarding the public comment as mentioned in paragraph 10, the departmental comments and planning assessments above are relevant.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comment mentioned in paragraph 10 above, PlanD has no objection to the application.
- 12.2 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 also suggested for Members' reference:

Approval conditions

- (a) the submission of a revised drainage proposal 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;
- (b) in relation to (a) above, the implementation of the revised drainage proposal 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;
- (c) in relation to (b) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (d) the implementation of the accepted 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;

- (e) if the above planning condition (c) 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;
- (f) if any of the above planning condition (a), (b) or (d) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (g) 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 IV**.

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

the proposed use with associated filling of land and pond is 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.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 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.
- 13.3 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.

14. Attachments

Appendix I	Application Form with attachments received on 8.7.2026 and 15.7.2026
Appendix Ia	FI received on 21.8.2026
Appendix II	Previous and similar applications
Appendix III	Government departments' general comments

Appendix IV	Recommended advisory clauses
Appendix V	Public comment
Drawing A-1	Site layout plan
Drawing A-2	Land/pond filling plan
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Site photos

**PLANNING DEPARTMENT
AUGUST 2026**