

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-MKT/68

- Applicant** : 偉華機械有限公司 represented by Ying Shing (Hopewell) Engineering Company Limited
- Site** : Lots 97, 98, 99 and 101 in D.D. 86, Man Kam To, New Territories
- Site Area** : About 2,400m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Man Kam To Outline Zoning Plan (OZP) No. S/NE-MKT/7
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Training Centre for Construction Industry 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 training centre for construction industry (training course for crawler-mounted crane experienced operators) 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 covering 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 currently formed, hard-paved with a filled platform, occupied by some temporary structures and used for coaches parking and general goods storage without valid planning permission (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site is accessible from Lin Ma Hang Road to the north via a local track passing through an adjoining vehicle repair workshop under approved application No. A/NE-MKT/49 (**Plan A-2**). According to the submission, the proposed use consists of a single-storey structure with a floor area of about 230m² and a building height of about 5.5m for an ancillary office block (comprising classroom/briefing, course administration and storage facilities, as well as two toilets). Three private car parking spaces (5m (L) x 2.5m (W) each) for staffs/trainers are proposed within the Site. A hard-paved training ground for the crawler-mounted crane (履帶式固定吊臂起重機) and wheeled telescopic mobile crane (輪胎式液壓伸縮吊臂起重機) (about 1,450m² or about 60.4% of the Site) is proposed at the northeastern portion of the Site. Crane operations and training will be

strictly confined within the designated training ground. Each class will accommodate no more than eight trainees. The operation hours of the proposed use are between 9:00 a.m. and 5:00 p.m. from Mondays to Fridays, with no operation on Saturdays, Sundays and public holidays. Besides, no industrial manufacturing, vehicle repair, waste processing and open storage of dangerous goods will be permitted at the Site. The layout plan submitted by the applicant is shown in **Drawing A-1**.

- 1.3 According to the applicant, a 5m-wide ingress/egress is proposed at the southwest boundary of the Site and sufficient space will be provided within the Site for manoeuvring of vehicles. According to the traffic management measures proposed by the applicant (**Appendices Ib** and **Id**), a 1.5m-wide pedestrian route, a zebra crossing and warning signs will be provided at the Site to ensure pedestrian safety; and on-site staff will be deployed at the ingress/egress to manage the traffic flow during operation hours. No visitor parking will be provided, and the trainees will be required to travel to the Site by public transport. According to the applicant, the cranes will be transported to the Site by flatbed trailers, and will remain stationed within the designated training ground throughout the duration of the proposed use.
- 1.4 The applicant also applies for regularisation of land filling of the entire site with soil and concrete by about 1.2m in depth for site formation purpose (**Drawing A-2**). According to the applicant, land filling has been conducted at the Site prior to the submission of the planning application, and no further land filling will be carried out at the Site.
- 1.5 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form received on 13.7.2026 (**Appendix I**)
 - (b) Supplementary Planning Statement (SPS) (**Appendix Ia**)
 - (c) Supplementary Information (SI) dated 14.7.2026 and 15.7.2026 (**Appendix Ib**)
 - (d) Further Information (FI) received on 4.8.2026* (**Appendix Ic**)
 - (e) FI received on 24.8.2026* (**Appendix Id**)

** 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, SPS, SI and FIs at **Appendices I** to **Id**, as summarised below:

- (a) in response to the emerging developments in the construction industry, the proposed use aims to offer practical training courses for specialists in operating crawler-mounted and wheeled telescopic mobile cranes. The applicant is currently liaising with the Labour Department (LD) on the recognition of training courses for crane operators. The training courses will be conducted in accordance to LD's requirements;

- (b) the applicant previously intended to operate a similar temporary training centre at Ma Tso Lung covered with valid planning permission under application No. A/NE-MTL/13¹. However, the operation was suspended due to the landowner's non-cooperation regarding the implementation of relevant technical approval conditions. After a comprehensive site search, the Site is identified as an ideal replacement for the proposed use;
- (c) the proposed use is temporary in nature and would not jeopardise the long-term planning intention of the "AGR" zone. The applicant undertakes to fully reinstate the Site upon expiry of planning permission;
- (d) there is a similar precedent case (application No. A/NE-TKL/774²) approved by the Committee. Approval of the application is generally in line with the Committee's previous decision;
- (e) no significant adverse impacts in terms of environmental, traffic, fire safety, drainage, etc. are anticipated;
- (f) the applicant has obtained the occupier's consent to use the adjoining private lot (i.e. Lot 518 in D.D. 90) for vehicular access; and
- (g) the applicant will liaise with the Lands Department (LandsD) on the land administration matters should the Committee approve the application.

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 posting notices near the Site and sending notice to the Ta Kwu Ling District Rural Committee. Detailed information would be deposited at the meeting for Members' inspection.

4. Background

- 4.1 The Site is subject to three active planning enforcement actions against unauthorized developments (UDs) involving storage use (including deposit of containers) and/or use for place for parking of vehicles (No. E/NE-MKT/57, 58 and 60) (**Plan A-2**).
- 4.2 For enforcement case No. E/NE-MKT/57 involving storage use (including deposit of containers) and use for place for parking of vehicles, Enforcement Notices (ENs) were issued on 15.6.2026 and 17.8.2026 to the concerned land owners and an occupier requiring discontinuation of the UD, and will expire on 15.9.2026 and 17.11.2026 respectively. If the ENs are still not complied with, further prosecution actions would be considered.

¹ Application No. A/NE-MTL/13 for proposed temporary training centre for construction industry with ancillary office and associated filling of land for a period of three years was approved with conditions by the Rural and New Town Planning Committee (the Committee) on 24.10.2025, with validity up to 24.10.2028. According to record, the outstanding time-limited approval conditions include the implementation of drainage and fire service installations proposals.

² Application No. A/NE-TKL/774 for proposed temporary training centre for construction industry with ancillary office for a period of three years was approved with conditions by the Committee on 25.10.2024. As the current application is on a different OZP, the planning considerations of the said application are not applicable to the current application.

- 4.3 For enforcement cases No. E/NE-MKT/58 involving use for place for parking of vehicles and intensification of storage use (including deposit of containers) and No. E/NE-MKT/60 involving use for place for parking of vehicles, ENs were issued on 17.8.2026 to the concerned land owners requiring discontinuation of the UD, and will expire on 17.11.2026. If the ENs are still not complied with, further prosecution actions would be considered.
- 4.4 The Site was largely vegetated around the time of the gazettal of the draft Man Kam To Development Permission Area Plan No. DPA/NE-MKT/1 on 30.7.2010 (**Plan A-3b**). Tree and vegetation clearance and land filling at the Site have been observed. The Site has been hard paved (**Plans A-3a and A-3c**).

5. **Previous Application**

- 5.1 Part of the Site is the subject of a previous application (No. A/DPA/NE-MKT/1) submitted by a different applicant for temporary open storage of construction materials for a period of three years, which was rejected by the Board on review on 8.10.2013. The planning considerations are not relevant to the current application which is for a different use.
- 5.2 Details of the previous application are summarised at **Appendix II** and its location is shown on **Plan A-1**.

6. **Similar Application**

There is no similar application for the same use within the same “AGR” zone in the past five years.

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

- 7.1 The Site is:
- (a) formed, hard-paved with a filled platform, occupied by some temporary structures and used for coach parking and general goods storage without valid planning permission; and
 - (b) accessible from Lin Ma Hang Road to the north via a local track passing through the adjoining vehicle repair workshop under approved application No. A/NE-MKT/49.
- 7.2 The surrounding areas are of rural character mainly comprising warehouses, storage yards, temporary structures, vegetated areas and tree clusters. To the immediate northwest is a temporary vehicle repair workshop and open storage of vehicles (coaches only) with ancillary facilities covered by a valid planning permission under application

No. A/NE-MKT/49³, with no clear boundary fencing between them. To the further southeast is a site subject to a planning enforcement action (No. E/NE-MKT/59) against UD involving use for place for parking of vehicles. To the further northwest along Lin Ma Hang Road are three sites covered with valid planning permissions under applications No. A/NE-MKT/39, 59 and 61 for temporary warehouses/retail shop. To the southwest and northwest of the Site are two densely vegetated knolls zoned “Green Belt” (“GB”), which are permitted burial grounds for indigenous villagers.

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, as filling of land 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 departments as set out in paragraphs 9.2 and 9.3 below, other government departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and the recommended advisory clauses are provided at **Appendices III** and **IV** respectively.
- 9.2 The following government departments object to or do not support the application.

Land Administration

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

- (a) he objects to the application;
- (b) the Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contain the restriction that no structures are allowed to be erected without the prior approval of the Government. The proposed ingress/egress of the Site is required to pass through Government Land (GL) but no right of access via GL is granted to the Site;
- (c) erection of unauthorised structures and illegal occupation of GL are not allowed. The occupier/lot owners should remove all the unauthorised structures and rectify the illegal occupation of GL immediately as the

³ Application No. A/NE-MKT/49 for temporary vehicle repair workshop and open storage of vehicles (coaches only) with ancillary facilities was approved with conditions by the Board on review on 12.12.2025, having regard to its unique circumstances, including the support from the Commissioner for Tourism, the applicant’s prominent market share in cross-boundary coach vehicle repair services supporting tourism development, the site’s suitability for such operations, the absence of adverse technical issues, its inclusion within the boundary of the future New Territories North New Town, and the temporary nature of the application. Members generally agreed that approval would not set a precedent for similar applications due to its distinctive characteristics. Its planning considerations are not applicable to the current application which involves a different use.

application does not fall within the case that could be regularised under prevailing land policy;

- (d) unless and until the unauthorised structures and the unlawful occupation of GL are duly rectified by the lot owner(s)/applicant, it should be taken as his office's objection to the application which must be brought to the attention of the Board when it considers the application; and
- (e) his other advisory comments are at **Appendix IV**.

Agriculture

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

- (a) as the Site processes potential for agricultural rehabilitation, the proposed use is not supported from agricultural perspective; and
- (b) the Site falls within the "AGR" zone and is generally vacant with some vehicles being parked at the time of inspection. 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, plant nurseries, etc.

9.3 The following government departments provide views on the application.

Occupation Safety and Health Training

9.3.1 Comments of the Commissioner for Labour (C for L):

- (a) with regard to the occupation safety and health (OSH) for the proposed use, the applicant/employer/occupier of the proposed use should pay attention to and comply with the Occupational Safety and Health Ordinance (Cap. 509) and its sub-legislation, including but not limited to, the followings to ensure the OSH at work of all the employees: (i) provision and maintenance of safe plant and systems of work; (ii) arrangement for the safe use, handling, storage or transport of plant or substances; and (iii) provision of OSH information, instruction, training and supervision as may be necessary;
- (b) LD has never provided any verbal recognition to the applicant as professed. It should be noted that recognition of a Mandatory Safety Training (MST) course is only granted by LD in the form of a formal written approval letter, rather than a verbal acknowledgement; and
- (c) according to his office's record, the applicant is not an approved Training Course Provider to conduct any MST courses.

Landscape

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

- (a) she has no adverse comment on the application from landscape planning perspective;
- (b) based on the aerial photo taken in 2024 (**Plan A-3a**), the Site was located in an area of rural inland plain landscape character comprising scattered woodlands, village house, warehouses, temporary structures, vegetated areas and tree clusters. The proposed use is considered not entirely incompatible with the surrounding environment;
- (c) according to recent site visits, the Site had been largely formed without any trees. Some temporary structures were observed in the southwestern portion of the Site. As stated in **Appendix I**, no tree felling will be involved. In view of the above, significant adverse landscape impact arising from the proposed use is not anticipated;
- (d) notwithstanding the above, it is noted from previous site photos that trees generally of common species and vegetation were present within the Site. However, as observed from the latest site photos, trees and vegetation clearance have taken place and the Site has been largely paved; and
- (e) her other advisory comments are at **Appendix IV**.

Traffic

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

- (a) she has no adverse comment on the application from traffic engineering perspective;
- (b) after taking into consideration the location of the Site and the traffic conditions on Lin Ma Hang Road, should the application be approved, conditions should be imposed requesting the applicant to submit and implement the proposed traffic management measures, and to maintain the implemented traffic management measures at all times during the planning approval period; and
- (c) her other advisory comments are at **Appendix IV**.

10. Public Comments Received During Statutory Publication Period

On 21.6.2026, the application was published for public inspection. During the statutory public inspection period, 10 public comments were received (**Appendix V**). Amongst them, four individuals support the application mainly on the reason that there is a need for the provision of a training centre to support the development of the construction industry and enhance the practical skills of construction workers. The remaining six comments from the Indigenous Inhabitant Representative and Residential Representative of Muk Wu, the Residential Representative of Nga Yiu, Kadoorie Farm and Botanic Garden and two individuals object to the application mainly on the grounds that the proposed use will cause adverse traffic, landscape and ecological impacts, as well as pose risks to pedestrian safety and induce environmental nuisance to nearby residents; the Site is the subject of suspected UD/involved in ongoing enforcement case(s); the adjoining GL has been fenced off/illegally occupied without any permission; the proliferation of warehouses along Lin Ma Hang Road creates cumulative adverse

impacts on the surrounding area; and existing degraded brownfield sites are more suitable for accommodating the proposed use.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary training centre for construction industry (training course for crawler-mounted crane experienced operators) with ancillary office and associated filling of land for a period of three years at the Site which is zoned “AGR” on the OZP (**Plan A-1**). The proposed use 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. DAFC does not support the application from agricultural perspective as the Site possess potential for agricultural rehabilitation. In addition, C for L advises that the applicant is not an approved Training Course Provider to conduct any MST courses. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis.
- 11.2 The applicant applies for regularisation of land filling of the entire site with a depth of about 1.2m for site formation purpose (**Drawing A-2**). Filling of land within “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 has no objection to the application from the public drainage viewpoint and the Director of Environmental Protection has no comment on the regularisation of land filling from environmental planning perspective.
- 11.3 The Site, being accessible from Lin Ma Hang Road to the north via an adjoining brownfield operation, is located in an area of rural character mainly comprising warehouses, temporary structures, vegetated areas and tree clusters (**Plans A-2, A-3a and A-3c**). The Site is generally bounded to the southwest by a densely vegetated knoll zoned “GB” (**Plans A-2, A-4a and A-4b**). CTP/UD&L, PlanD advises that while significant adverse landscape impact arising from the proposed use is not anticipated, trees and vegetation clearance have recently taken place and the Site had been largely paved⁴ (**Plans A-3b and A-3c**). The Site is currently subject to three active planning enforcement actions against UD, as detailed in paragraph 4.1 above, and to the further southeast is a UD site involving parking of vehicles under active planning enforcement action (**Plan A-2**). Although a temporary vehicle repair workshop and open storage of vehicles (coaches only) with ancillary facilities covered by a valid planning permission under application No. A/NE-MKT/49 is located to the immediate northwest of the Site (**Plan A-2**), that application was approved with conditions by the Board upon review based on its unique circumstances as mentioned in footnote 3 above, and its planning considerations are not applicable to the current application. There is no previous planning permission granted at the Site, nor is there any similar approved application within the same “AGR” zone. Approving the current application would encourage further proliferation of similar brownfield or related uses into the inner part of the subject “AGR” zone and away from Lin Ma Hang Road, the cumulative impacts of which would result in a general degradation of the rural environment of the area.
- 11.4 DLO/N, LandsD objects to the application as there are unauthorised structures and unlawful occupation of GL at the Site. Other relevant government departments consulted,

⁴ The land filling at the Site were conducted by the applicant as mentioned in paragraph 1.4 above.

including the Director of Fire Services and C for T, have no objection to or no adverse comment on the application.

- 11.5 Regarding the public comments mentioned in paragraph 10 above, the government departments' 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 comments in paragraph 10 above, PlanD does not support the application for the following reason:

the proposed use with associated filling of land 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.

- 12.2 Alternatively, 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 11.9.2029. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval Conditions

- (a) the submission of a 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 11.3.2027;
- (b) in relation to (a) above, the implementation of the 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 11.6.2027;
- (c) in relation to (b) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (d) 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 11.3.2027;
- (e) in relation to (d) 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 11.6.2027;
- (f) the submission of revised traffic management measures within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board by 11.3.2027;
- (g) in relation to (f) above, the implementation of the traffic management measures within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board by 11.6.2027;

- (h) in relation to (g) above, the implemented traffic management measures shall be maintained at all times during the planning approval period;
- (i) if any of the above planning condition (c) or (h) 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 (a), (b), (d), (e), (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 removal of fill materials and hard paving, and grassing 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**.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant the permission.
- 13.2 Should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.
- 13.3 Alternatively, 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. Attachments

Appendix I	Application Form received on 13.7.2026
Appendix Ia	SPS
Appendix Ib	SI received on 14.7.2026 and 15.7.2026
Appendix Ic	FI received on 4.8.2026
Appendix Id	FI received on 24.8.2026
Appendix II	Previous Application
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comments
Drawing A-1	Layout Plan
Drawing A-2	Proposed Land Filling Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3a to A-3c	Unmanned Aerial Vehicle Photo and Aerial Photos
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
SEPTEMBER 2026**