

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-LFS/623

- Applicant** : Billion Gainer International Limited represented by Allgain Land Planning Limited
- Site** : Lots 1694 (Part), 1697 (Part) and 1698 in D.D. 129, Lau Fau Shan, Yuen Long, New Territories
- Site Area** : About 1,200m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (OZP) No. S/YL-LFS/11
- Zoning** : “Residential (Group E)” (“R(E)”)
- Application** : Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary warehouse (excluding dangerous goods godown) for a period of three years at the application site (the Site) (**Plan A-1**) falling within “R(E)” zone on the OZP. According to the covering Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently fenced off, hard paved and used for open storage of construction machines without valid planning permission (**Plans A-2, A-4a and A-4b**).
- 1.2 The Site is accessible from Deep Bay Road via a local track, with the ingress/egress located at the southeast of the Site (**Drawing A-1**). As indicated in the submission, the proposed warehouse would be used for storage of hardware parts and construction materials. As shown on the layout plan at **Drawing A-2**, three structures of one to two storeys (not exceeding 8m in height) and with a total floor area of about 580m² are proposed for warehouse and office uses. No parking space for private car is proposed while one loading/unloading space for light goods vehicle will be provided. According to the applicant, no dangerous goods will be stored and no workshop activities will be carried out at the Site at any time during the planning approval period.
- 1.3 According to the applicant, the operation hours are between 8:00 a.m. and 6:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. The

vehicular access plan, layout plan and slope buffer distance plan submitted by the applicant are at **Drawings A-1 to A-3** respectively.

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

- (a) Application Form with attachments received on 17.7.2026 (Appendix I)
- (b) Supplementary Information (SI) received on 22.7.2026 (Appendix Ia)
- (c) Further Information (FI) received on 31.8.2026* (Appendix Ib)
- (d) FI received on 3.9.2026* (Appendix Ic)

** accepted and exempted from publication requirements*

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 Ib**. They can be summarised as follows:

- (a) the Site is strategically located close to the supply chain networks and border control points;
- (b) there is no known long-term residential nor recreational development in the area. Approval of the application on a temporary basis of three years would not frustrate the long-term planning intention of the “R(E)” zone;
- (c) the Site is situated in an area predominated by logistics centre, open storage yards, warehouses and public vehicle parks. The proposed use is not incompatible with the surrounding areas;
- (d) the application will only utilize the existing hard ground for temporary storage and will not affect the natural environment nor have any significant negative impact on the surrounding environment; and
- (e) the applicant will strictly comply with all environmental protection/pollution control ordinances and relevant guidelines to minimise adverse traffic, environmental impacts and nuisance to the surrounding areas.

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 Ordinance (TPB PG-No. 31B) by posting site notice and sending notification letter to the Ping Shan Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

The Site is currently subject to planning enforcement action (No. E/YL-LFS/658) against unauthorized development (UD) involving storage use. Enforcement Notice was issued on 8.5.2025 requiring discontinuation of the UD by 8.6.2025. The case is under close

monitoring.

5. Previous Applications

The Site was involved in two previous applications (No. A/YL-LFS/32 and 228) for temporary open storage of used motor cycles and construction materials, both of which were rejected by the Rural and New Town Planning Committee (the Committee) of the Board in 1998 and 2011 respectively. The considerations of these applications are not relevant to the current application which is for a different use. Details of the previous applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

6. Similar Applications

- 6.1 Within the same “R(E)” zone, there were two similar applications for temporary warehouse use in the past five years. Details of these similar applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.
- 6.2 Applications No. A/YL-LFS/446 and A/YL-LFS/582 were approved with conditions by the Committee in 2022 and 2026 respectively mainly on considerations that temporary approval would not jeopardise the long-term planning intention of the “R(E)” zone; the applied use was not incompatible with the surrounding land uses; and concerned government departments generally had no objection to the application and the technical concerns could be addressed by implementation of approval conditions.

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

- 7.1 The Site is:
 - (a) fenced off, hard paved and used for open storage of construction machineries without valid planning permission; and
 - (b) accessible from Deep Bay Road via a local track.
- 7.2 The surrounding areas are predominated by open storage yards, warehouse and logistics centre with some of them covered by valid planning permissions. The permitted Burial Ground No. YL/59 is located to the further south and east mainly within the “Green Belt” zone.

8. Planning Intention

The “R(E)” zone is intended primarily for phasing out of existing industrial uses through redevelopment for residential use on application to the Board. Whilst existing industrial uses will be tolerated, new industrial developments are not permitted in order to avoid perpetuation of industrial/residential interface problem.

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 are provided in **Appendices III and IV** respectively.

9.2 The following government department has reservation on the application:

Land Administration

9.2.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

- (a) He has reservation on the application from land administration perspective.
- (b) There are unauthorized structure(s) on Lot 1697 in D.D.129 which are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify and/or apply for regularization of the lease breaches as demanded by LandsD.
- (c) The applicant should note his advisory comments at **Appendix IV**.

10. Public Comment Received During Statutory Publication Period

On 24.7.2026, the application was published for public inspection. During the statutory public inspection period, a public comment from an individual (**Appendix V**) was received objecting to the open storage operation at the Site and querying whether enforcement action has been taken.

11. Planning Considerations and Assessments

11.1 The application is for proposed temporary warehouse (excluding dangerous goods godown) for a period of three years at the Site zoned “R(E)” on the OZP (**Plan A-1**). Although the proposed use is not in line with the planning intention of the “R(E)” zone, there is no known proposal for residential development at the Site. The Project Manager (West) of Civil Engineering and Development Department advises that the Site falls within the study area of Lau Fau Shan Development in which the implementation programme and land resumption/clearance programme are currently being reviewed under the relevant investigation study and subject to change. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term development of the area. Nonetheless, should the application be approved, the applicant should be reminded that the Site may be resumed by the Government at any time during the planning approval period for potential development project and advised not to carry out any substantial works therein.

11.2 The Site is located in an area predominated by open storage yards, warehouse and logistics centre, some of which are covered by valid planning permissions. The proposed use is considered not incompatible with the surrounding land uses.

- 11.3 Concerned government departments consulted including the Commissioner for Transport, Director of Environmental Protection, Chief Engineer/Mainland North of Drainage Services Department (CE/MN of DSD) and Director of Fire Services (D of FS) have no objection to or no adverse comment on the application from traffic, environmental, drainage and fire safety perspectives respectively. The technical requirements of CE/MN of DSD and D of FS could be addressed by implementation of the approval conditions recommended in paragraph 12.2 below. To minimise any possible environmental nuisance, the applicant will also be advised to follow the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' should the application be approved.
- 11.4 The Committee has approved two similar applications within the same "R(E)" zone in the past five years as detailed in paragraph 6 above. Approval of the current application is in line with the previous decisions of the Committee.
- 11.5 Regarding the public comment objecting to the application as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.4 above are relevant. Enforcement action has been taken against the UD at the Site (as detailed in paragraph 4 above).

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comment in paragraph 10 above, the Planning Department 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 **11.9.2029**. The following conditions of approval and advisory clauses are also 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 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 **11.6.2027**;
- (c) in relation to (b) above, the implemented drainage facilities on the Site 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) if the above planning condition (c) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (g) if any of the above planning condition (a), (b), (d) or (e) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

Advisory Clauses

The recommended advisory clauses are attached 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 is not in line with the planning intention of the "R(E)" zone, which is primarily for phasing out of existing industrial uses through redevelopment for residential use on application to the Board. 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 planning 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 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 received on 17.7.2026
Appendix Ia	SI received on 22.7.2026
Appendix Ib	FI received on 31.8.2026
Appendix Ic	FI received on 3.9.2026
Appendix II	Previous and Similar Applications
Appendix III	Government Departments' General Comments
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment Received During Statutory Publication Period
Drawing A-1	Location Plan
Drawing A-2	Layout Plan
Drawing A-3	Slope Buffer Distance Plan
Plan A-1	Location Plan with Previous and Similar Applications
Plan A-2	Site Plan

Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
SEPTEMBER 2026**