

**Similar Applications for Temporary Warehouse
within the same “Recreation” zone in the vicinity of the Application Site**

Approved Applications

Application No.	Uses / Developments	Date of Consideration
A/NE-MKT/42	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of Three Years	28.3.2025
A/NE-MKT/43	Proposed Temporary Warehouse for Storage of Vehicle Parts for a Period of Three Years	11.4.2025
A/NE-MKT/48	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) and Ancillary Facilities for a Period of Three Years	15.8.2025

Rejected Application

Application No.	Uses / Developments	Date of Consideration	Rejection Reasons
A/NE-MKT/27	Proposed Temporary Open Storage of Construction Machinery and Warehouse for Storage of Machinery Parts with Ancillary Office for a Period of Three Years	1.12.2023 (on review)	R1-R3

Rejection Reasons

- R1 The proposed use was not in line with the planning intention of the “Recreation” zone, which was primarily for recreational developments for the use of the general public. It encouraged the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the low-density recreational developments might be permitted subject to planning permission. There was no strong planning justification in the submission to merit a departure from such planning intention, even on a temporary basis.
- R2 The applicant failed to demonstrate in the submission that the proposed use would not generate adverse traffic, drainage, landscape and environmental impacts on the surrounding areas.
- R3 The proposed use did not comply with the Town Planning Board Guidelines on Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance in that no previous approval has been granted to the site and there were adverse departmental comments and local objections.

Government Departments' General Comments

1. Drainage

Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

- no objection to the application from public drainage viewpoint;
- no adverse comment on the proposed land filling works;
- should the application be approved, conditions should be included to request the applicant to submit and implement a revised drainage proposal for the application site (the Site) to ensure it will not cause adverse drainage impact to the adjacent area, and the implemented drainage facilities at the Site shall be maintained at all times during the planning approval period and rectified if they are found inadequate/ineffective during operation; and
- her advisory comments on the application are at **Appendix IV**.

2. Fire Safety

Comments of the Director of Fire Services (D of FS):

- no in-principle objection to the application subject to fire service installations and water supplies for firefighting being provided to his satisfaction; and
- his advisory comments on the application are at **Appendix IV**.

3. Traffic

Comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD):

- no in-principle objection to the application from highway maintenance point of view;
- should the application be approved, conditions should be included to request the applicant to submit and construct the proposed vehicular run-in/run-out to the Site in accordance with the latest version of HyD standard drawings (i.e. No. H1113 and H1114, or H5133 to H5135, whichever set is appropriate to match with the existing adjacent pavement); and
- his advisory comments on the application are at **Appendix IV**.

4. Landscape

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

- no adverse comment on the application from landscape planning perspective;

- based on the aerial photo taken in 2024, the Site was located in an area of rural inland plain landscape character comprising farmlands, temporary structures, vegetated areas and tree clusters. The proposed use is considered not incompatible with the surrounding environment;
- with reference to recent site visit, the Site was generally covered with wild plants and some common tree species were observed. In view of the above, significant adverse landscape impact arising from the proposed use is not anticipated; and
- her advisory comments on the application are at **Appendix IV**.

5. **Environment**

Comments of the Director of Environmental Protection (DEP):

- no objection to the application from environmental planning perspective since no residential dwelling is identified within 100m from the Site although heavy vehicle is involved;
- no comment on the filling of land from the environmental planning perspective subject to implementation of relevant mitigation measures listed in the Recommended Pollution Control Clauses for Construction Contracts;
- no environmental complaint was received for the Site in the past three years; and
- his advisory comments on the application are at **Appendix IV**.

6. **Other Departments**

The following government departments have no objection to/no comment on the application:

- (a) Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD);
- (b) Director of Agriculture, Fisheries and Conservation (DAFC);
- (c) Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
- (d) Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD);
- (e) Commissioner of Police (C of P);
- (f) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD); and
- (g) District Officer (North), Home Affairs Department (DO(N), HAD).

Recommended Advisory Clauses

- (a) to resolve any land issues relating to the development with the concerned owner(s) of the application site (the Site);
- (b) to note the comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD) that:
 - (i) the following irregularity covered by the application has been detected by his office:

Unauthorised structures within Lots 184 S.A RP, 191 RP, 192 S.A RP and 193 RP in D.D. 82 covered by the application

there are unauthorised structures on the private lots concerned. The lot owners should immediately rectify/regularize the lease breaches and his office reserves the rights to take necessary lease enforcement action against the breaches without further notice;
 - (ii) his office acknowledged that the applicant will not place any traffic bollards on Government Land (GL) and will implement alternative management measures to prevent illegal parking. The applicant is reminded that any occupation of GL without Government's prior approval is an offence under the Land (Miscellaneous Provisions) Ordinance (Cap. 28). His office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice (if any); and
 - (iii) if the application is approved, the lot owners shall apply to his office for Short Term Waivers (STW) to permit the proposed structures within the concerned private lots. The applications for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The STW if approved, will be on whole lot basis and subject to such terms and conditions including the payment of waiver fee and administrative fee as considered appropriate by LandsD. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered;
- (c) to note the comments of the Commissioner for Transport (C for T) that sufficient manoeuvring space shall be provided within the Site. No vehicle is allowed to queue back to or reserve onto/from public road at any time during the planning approval period;
- (d) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) the applicant shall place all proposed structures at least 10m away from the crest of the embankment of Ping Yuen River;
 - (ii) the applicant should construct and maintain the proposed drainage facilities whether within or outside the Site at his/her own expense;
 - (iii) the Site is in an area where no public sewerage connection is available;
 - (iv) the submitted drainage proposal has not been prepared to her office's satisfaction. The applicant should take note her comments in preparation of the revised drainage proposal; and
 - (v) the applicant should be advised the following general requirements in the drainage proposal:

- the limited desktop checking by the Government on the drainage proposal only covers only the fundamental aspects of the drainage design which will be no means relieve his/her obligations to ensure that (i) the proposed drainage works will not cause any adverse drainage or environmental impacts in the vicinity; and (ii) the proposed drainage works and the downstream drainage systems have the adequate capacity and are in good conditions to accommodate all discharge water collected from his/her lot and all upstream catchments. The applicant shall effect any subsequent upgrading of these proposed works and the downstream drainage systems whenever necessary;
- the cover levels of proposed u-channels and catchpits should be flush with the adjoining ground level;
- the applicant should check and ensure that the existing drainage system to which the proposed connection will be made have adequate capacity and satisfactory condition to cater for the additional discharge from the Site. He/she should also ensure that the flow from the Site will not overload the existing drainage system;
- where walls are erected or kerbs are laid along the boundary of the Site, peripheral channels should be provided on both sides of the walls or kerbs with details to be agreed by DSD;
- all existing flow paths as well as the run-off falling onto and passing through the Site should be intercepted and disposed of via proper discharge points. The applicant shall also ensure that no works, including any site formation works, shall be carried out as may adversely interfere with the free flow condition of the existing drain, channels and watercourses on or in the vicinity of the Site any time during or after the works;
- the proposed drainage works, whether within or outside the Site, should be constructed and maintained by the applicant at his/her own expense;
- for works to be undertaken outside the Site, the applicant should obtain prior agreement from DLO/N, LandsD and/or relevant private lot owners;
- the applicant should make good all the adjacent affected areas upon the completion of the drainage works;
- the applicant should construct and maintain the proposed drainage works properly and rectify the system if it is found to be inadequate or ineffective during operation;
- as usual, the Government should be empowered to inspect conditions of the private drainage system and to enforce its cleansing by the owners, if necessity arises (for example upon receipt of complaints);
- the applicant should conduct site checking to confirm invert levels of the public drainage system to which the stormwater from the Site is proposed to be discharged;
- upon completion of the works, the applicant should submit a duly completed Form HBP1 "Application for Technical Audit of Drainage/Water Supply Connection Works carried out by a Member of the Public" together with a cheque to DSD to either a technical audit by DSD or self-certification by registered professional at the applicant's cost on the completed connection works. The applicant is also reminded to submit a duly completed declaration Form HBP1_CC "Drainage Connection Works Carried Out by a Member of the Public Confirmation of Completion" and to provide latest approval

and certified as-built drainage plans as well as relevant construction records to DSD at least 9 days before each technical audit by DSD. The applicant may refer to DSD Advice Note No. 2 “How to make Drainage Connections” which is available on DSD’s website; and

- the existing drainage facilities, watercourse, river, channel and the like should not be affected and obstructed by the construction materials, waste or debris from the proposed use;

(e) to note the comments of the Director of Fire Services (D of FS) that:

- (i) the applicant should take note of his comments in preparation of the revised fire service installations proposal;
- (ii) the separation distance between each structure shall be clearly indicated on plan. In this regard, structures on the same site are regarded as adjoining structures if they are less than 1.8m apart;
- (iii) sufficient directional and exit signs shall be provided for warehouse on 1/F in accordance with BS 5266-1:2016 “Emergency Lighting – Part 1: Code of Practice for the Emergency Lighting of Premises” and the Fire Services Department (FSD) Circular Letter No. 5/2008 “Graphical Symbol Exit Signs”;
- (iv) for structures not exceeding 230m², stand-alone fire detector and a suitable type of portable fire extinguisher shall be provided for every structure individually (i.e. ancillary office and meter room);
- (v) the sprinkler control valve shall be located such that it is safely accessible even in a fire situation (i.e. close to the entrance) in accordance with the FSD Circular Letter No. 5/2020 “Specification for Automatic Sprinkler Installations”; and
- (vi) the application involves substantial structural works which may be subject to the Buildings Ordinance (Cap. 123) (BO). The applicant is advised to consult the Building Authority (BA) to ascertain whether the provision applies;

(f) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD):

- (i) HyD shall not be responsible for the maintenance of proposed access connecting the Site and Lin Ma Hang Road; and
- (ii) Adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains;

(g) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that approval of the application does not imply approval of tree works such as pruning, transplanting and felling. The applicant is reminded to seek approval for any proposed tree works from relevant departments prior to commencement of the works;

(h) to note the comments of the Director of Environmental Protection (DEP) that the applicant should observe the requirements of the ‘Code of Practice on Handling Environmental Aspects of Temporary Uses & Open Storage Sites’; implement relevant mitigation measures listed in the Recommended Pollution Control Clauses for Construction Contracts (https://www.epd.gov.hk/epd/english/environmentinhk/eia_planning/guide_ref/rpc.html) during

land filling; and provide suitable sewage treatment facilities as required under the Professional Persons Environmental Consultative Committee Practice Note (ProPECC PN) 1/23 'Drainage Plans subject to Comment by the Environmental Protection Department' and are duly certified by an Authorised Person (AP) to avoid causing water pollution to the Ping Yuen River;

- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) four structures and land filling are proposed at the Site. Before any new building works are to be carried out on the Site, prior approval and consent of the BA should be obtained unless they are exempted building works or commenced under the simplified requirement under the Minor Works Control System, otherwise they are unauthorised building works (UBW) under the BO. An AP should be appointed as the co-ordinator for the proposed building works in accordance with the BO; and
- (ii) the applicant's attention is drawn to the following points:
- the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively;
 - the Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under the Regulation 19(3) of the B(P)R at building plan submission stage;
 - if any existing structure is erected on leased land without the approval of the BA, they are UBW under the BO and should not be designated for any proposed use;
 - for UBW erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with the prevailing enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO;
 - before any new building works (including containers/open sheds as temporary buildings, demolition and land filling etc.) are to be carried out at the Site, prior approval and consent of the BA should be obtained, otherwise they are UBW under the BO. An AP should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings and subject to the control of Part VII of the B(P)R;
 - in general, there is no requirement under the BO in respect of provision of car parking spaces for the proposed use. However, the applicant's attention is drawn to the provision of accessible car parking spaces designated for the use of persons with a disability as per the requirements under Regulation 72 of the B(P)R and Division 3 of Design Manual: Barrier Free Access 2008;
 - the applicant's attention is drawn to the provision under Regulations 40 and 41 of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations in respect of disposal of foul water and surface water respectively;

- the 13m high two-storey warehouse may be considered excessive. It should be justified upon formal plan submission to BD; and
 - detailed checking under the BO will be carried out at building plan submission stage; and
- (j) to note the comments of the Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD) that the proposed use is located within the proposed New Territories North (NTN) New Town under the Planning & Engineering (P&E) Study for NTN New Town and Man Kam To. The preliminary development proposal for NTN New Town was released in December 2024. While the implementation programme of NTN New Town is being formulated under the P&E Study, the site formation works will likely commence soon after the completion of detailed design in next stage. Hence, subject to the land use planning in the P&E Study, the proposed use, if approved, may need to be vacated for the site formation works.

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tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年09月09日星期三 0:49
收件者: tpbpd/PLAND
主旨: A/NE-MKT/71 DD 82, Lin Ma Hang Road, Ta Kwu Ling
類別: Internet Email

A/NE-MKT/71

Lots 181 RP(Part), 184 S.A. RP, 185, 186, 188 RP, 191 RP, 192 S.A. RP, 193 RP, 194 RP and 195 S.A RP in D.D.
82, Lin Ma Hang Road, Ta Kwu Ling
Site area: About 3,906sq.m
Zoning: "Recreation"
Applied use: Warehouse / 6 Vehicle Parking

Dear TPB Members,

The site has already been stripped of vegetation but there is no link to previous approvals.

The justifications of this application are:

1. The proposed development is in line with the future planning intention of Northern Metropolis;
Seriously, we were told that the plan is to build a Technopolis and Higher Education node. Warehouse is a basic low level operation.
2. The Application Site meets the relocation need of the Applicant;
And a large amount of Agriculture zoning has been designated Cat 2 to accommodate these relocations.
3. The proposed development does not contravene the planning intention of "REC" zone;
Seriously, neither Col 1 nor Col 2.
4. Similar applications have been approved within the same "REC" zone;
Unfortunately.
5. The proposed development allows optimization of valuable land uses;
Give over, these warehouse operations are neither efficient nor optimal land use.
6. The proposed development is considered not incompatible with surrounding areas;
Depends on perspective. I have been driven along Lin Ma Hang Road and would disagree.
7. The proposed development will not generate adverse traffic, environmental and drainage impacts on the surrounding areas;
Surrounded by watercourses, could cause significant pollution and seepage.
8. The proposed development will not create undesirable precedent.

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Disagree, the relocation saga has been grossly abused.

Moreover, the applicant is abusing the relocation sob story to gain approval for an operation that is almost twice as large as the premises to be vacated, 2,373sq.m.

If Sec for Dev supports this application, then it is yet another example of how the guidelines are being abused by the very depts that publish them.

Mary Mulvihill

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年09月11日星期五 10:50
收件者: tpbpd/PLAND; [REDACTED]
主旨: 有關的規劃申請編號: A/NE-MKT/71
附件: ANEMKT71.pdf
類別: Internet Email

致城市規劃委員會秘書：

附上有關的規劃申請編號：A/NE-MKT/71 的反對意見回覆如下及請查附件：-

反對意見：

有關的規劃申請編號 The application no. to which the comment relates A/NE-MKT/71

意見詳情（如有需要，請另頁說明）

Details of the Comment (use separate sheet if necessary)

1. 優化排水排污

擬議申請項目南界緊貼平原河，地勢低平。平原河是打鼓嶺村及週田村一帶的天然排水通道，申請必須妥善處理排水及排污，以免加重該處水患擴大。

2. 不要破壞周邊環境

該地段屬「康樂」地帶，規劃意向是促進康樂及生態旅遊，並保存鄉郊開揚景觀。擬議發展不應過度遮擋沿河視線，以免破壞周邊環境。

3. 減低嘈音

貨倉運作及中型貨車上落貨會產生噪音、引擎聲及揚塵，直接影響蓮麻坑路沿線村民、學童及嶺英公立學校。申請理應採取有效措施，減低對附近社區的滋擾。

「提意見人」姓名/名稱 Name of person/company making this comment
打鼓嶺區鄉事委員會

敬請回覆收妥上述電郵及以透過傳真 2877 0245 回覆文件。

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如有任何問題,歡迎與本會聯絡 Joey 劉小姐聯絡: [REDACTED]。

專此奉達,順頌

鈞安

打鼓嶺區鄉事委員會

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To : Secretary, Town Planning Board

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax : 2877 0245 or 2522 8426

By e-mail : tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates

A/NE-MKT/71

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「提意見人」姓名/名稱 Name of person/company making this comment

打鼓嶺區鄉事委員會



簽署 Signature _____

日期 11 Sep 2026

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

3

To : Secretary, Town Planning Board

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

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A/NE-MKT/71

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

無意見

「提意見人」姓名/名稱 Name of person/company making this comment 侯志強議員

簽署 Signature



日期 Date

2026. 8. 24