

**Town Planning Board Guidelines for  
Application for Open Storage and Port Back-up Uses  
(TPB PG-No.13G)**

1. On 14.4.2023, the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13G) were promulgated, which set out the following criteria for New Development Areas:
  - (a) The planning for various New Development Areas (NDAs) (including potential development areas) in the New Territories has been in progress and the land use proposals for some of these areas have been incorporated as appropriate into relevant statutory town plans. The NDAs will be implemented by phases. While it is envisaged that the existing open storage and port back-up uses in these areas will be gradually phased out, sympathetic consideration may be given to applications for continued operation of these uses during the interim period before the sites are required for NDA development.
  - (b) For existing open storage and port back-up sites with previous planning approval(s) and/or permitted under the previous OZPs, sympathetic consideration may be given to the application (irrespective of whether the application is submitted by the applicant of previous approval or a different applicant) until the concerned site is required for implementation of NDA development, provided that the relevant approval conditions, if any, have been complied with. Technical assessments, where appropriate, may also need to be submitted to demonstrate that the continued operation of the current uses would not have adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas and the concerns of the departments and local residents, if any, can be addressed through the implementation of the approval conditions.
  - (c) In view of the impending implementation of NDAs, new open storage and port back-up uses are generally not encouraged to infiltrate into the NDAs. However, sympathetic consideration may be given to applications for relocation of the uses/operations affected by government projects to sites designated for development purpose in NDAs (including those planned for GIC and open space developments) as temporary use/ development before these sites are required for NDA development, subject to policy support given by the relevant policy bureau(x) to the application and no adverse departmental comments and local objections, or the concerns could be addressed by approval conditions. There is a general presumption against such uses at sites with land use compatibility issue, e.g. in close proximity to existing residential dwellings which may be subject to environmental nuisances caused by the open storage and port back-up uses. Applications will normally be rejected unless under exceptional circumstances.
  - (d) Any approved temporary use and development should not jeopardize the long-term planned development on the respective site/the surrounding area under the NDA and the applicant should be advised that the site would be required by the government at any time during the planning approval period for implementation of government projects.

**Previous S.16 Applications covering the Application Site**

**Approved Applications**

| <b>Application No.</b> | <b>Uses/Development</b>                                                                                          | <b>Date of Consideration</b>         |
|------------------------|------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| A/YL-HT/242            | Temporary Ancillary Container Repairing Area for a Period of 3 Years                                             | 12.7.2002<br>(Revoked on 12.1.2003)  |
| A/YL-HT/307            | Temporary Container Trailer/Tractor Park for a Period of 3 Years                                                 | 31.10.2003<br>(On review)            |
| A/YL-HT/308            | Temporary Open Storage of Container Trailers/Tractors with Repair Workshop for a Period of 3 Years               | 31.10.2003<br>(On review)            |
| A/YL-HT/500            | Temporary Open Storage of Container Trailers and Tractors with Ancillary Repair Workshop for a Period of 3 Years | 10.8.2007                            |
| A/YL-HT/501            | Temporary Open Storage of Container Trailers and Tractors for a Period of 3 Years                                | 10.8.2007                            |
| A/YL-HT/934            | Proposed Temporary Logistics Centre with Ancillary Office and Parking of Vehicle for a Period of 3 Years         | 6.2.2015<br>(Revoked on 6.5.2016)    |
| A/YL-HT/1017           | Temporary Logistics Centre with Ancillary Site Office for a Period of 3 Years                                    | 13.5.2016                            |
| A/HSK/145              | Renewal of Planning Approval for Temporary Logistics Centre with Ancillary Site Office for a Period of 3 Years   | 3.5.2019<br>(Revoked on 14.10.2021)  |
| A/HSK/321              | Temporary Logistics Centre with Ancillary Site Office for a Period of 3 Years                                    | 27.8.2021<br>(Revoked on 27.5.2023)  |
| A/HSK/456              | Temporary Logistics Centre with Ancillary Office for a Period of 3 Years                                         | 12.1.2024<br>(Revoked on 12.10.2025) |

**Similar S.16 Applications within/straddling the subject “Residential (Group B) 1”,  
“Residential (Group B) 2” and “Open Space” Zones  
on the Hung Shui Kiu & Ha Tsuen Outline Zoning Plan in the Past Five Years**

Approved Applications

| <b>Application No.</b> | <b>Uses/Development</b>                                                                                          | <b>Date of Consideration</b>         |
|------------------------|------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| A/HSK/338              | Temporary Logistics Centre for a Period of 3 Years                                                               | 22.4.2022<br>(Revoked on 22.1.2024)  |
| A/HSK/389              | Temporary Logistics Centre with Ancillary Staff Canteen for a Period of 3 Years                                  | 26.8.2022<br>(Revoked on 26.5.2023)  |
| A/HSK/391              | Temporary Logistics Centre for a Period of 3 Years                                                               | 26.8.2022<br>(Revoked on 26.5.2024)  |
| A/HSK/413              | Temporary Logistics Centre for a Period of 3 Years                                                               | 11.11.2022<br>(Revoked on 11.8.2024) |
| A/HSK/432              | Proposed Temporary Logistics Centre for a Period of 3 Years                                                      | 31.3.2023<br>(Revoked on 30.12.2024) |
| A/HSK/439              | Temporary Logistics Centre with Ancillary Staff Canteen for a Period of 3 Years                                  | 5.5.2023                             |
| A/HSK/450              | Temporary Logistics Centre for a Period of 3 Years                                                               | 9.6.2023<br>(revoked on 9.3.2024)    |
| A/HSK/501              | Temporary Logistics Centre for a Period of 3 Years                                                               | 24.5.2024                            |
| A/HSK/510              | Temporary Logistic Centre with Ancillary Office and Canteen for a Period of 3 Years                              | 21.6.2024<br>(Revoked on 21.12.2025) |
| A/HSK/522              | Temporary Logistics Centre for a Period of 3 Years                                                               | 20.9.2024                            |
| A/HSK/536              | Temporary Logistics Centre for a Period of 3 Years                                                               | 28.3.2025                            |
| A/HSK/553              | Temporary Logistic Centre for a Period of 3 Years                                                                | 11.4.2025                            |
| A/HSK/572              | Temporary Logistic Centre with Ancillary Office and Canteen for a Period of 3 Years                              | 15.8.2025                            |
| A/HSK/592              | Temporary Logistics Centre with Ancillary Office for a Period of 3 Years                                         | 23.1.2026                            |
| A/HSK/596              | Renewal of Planning Approval for Temporary Logistics Centre with Ancillary Staff Canteen for a Period of 3 Years | 27.3.2026                            |

**Government Departments' General Comments**

**1. Traffic**

- (a) Comments of the Commissioner for Transport:

No adverse comment on the application from traffic engineering perspective.

- (b) Comments of the Chief Highway Engineer/New Territories West, Highways Department:

No objection to the application from highway maintenance point of view.

**2. Drainage**

Comments of the Chief Engineer/Mainland North, Drainage Services Department:

- no in-principle objection to the application from drainage point of view; and
- should the application be approved, a condition should be stipulated requiring the applicant to maintain the existing drainage facilities and submit condition record of the existing drainage facilities to his satisfaction.

**3. Fire Safety**

Comments of the Director of Fire Services:

- no in-principle objection to the application subject to fire service installations (FSIs) and water supplies for firefighting being provided on the Site; and
- the submitted FSIs proposal is considered acceptable by his department.

**4. Building Matters**

Comments of the Chief Building Surveyor/New Territories West, Buildings Department:

- no objection to the application under the Buildings Ordinance; and
- no record of approval granted by the Building Authority for the existing structures.

**5. Long-term Development**

- (a) Comments of the Project Manager (West), Civil Engineering and Development Department (CEDD):

- the Site falls within the study area of Lau Fau Shan Development under the consultancy Agreement No. CE 5/2024 (CE) “Developments at Lau Fau Shan, Tsim Bei Tsui and Pak Nai areas – Investigation”, which is the Investigation Study and jointly commissioned by Planning Department and CEDD. The implementation programme and land resumption/clearance programme of the Lau

Fau Shan Development is currently being reviewed under the Investigation Study and subject to change; and

- if the application is granted, notwithstanding the validity period, the applicant should note his advisory comments at **Appendix V**.

(b) Comments of the Director of Leisure and Cultural Services:

- no in-principle objection to the application; and
- there is no plan to develop the Site into any recreation or sports venue in the coming three years.

#### **6. District Officer's Comments**

Comments of the District Officer (Yuen Long), Home Affairs Department:

- no comment from departmental point of view; and
- his office has not received any comment from the locals on the application.

#### **7. Other Departments' Comments**

The following government departments have no objection to the application:

- Chief Engineer/Construction, Water Supplies Department; and
- Commissioner of Police.

**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) should the applicant fail to comply with any of the approval conditions again resulting in the revocation of planning permission, sympathetic consideration may not be given to any further applications;
- (c) to note the comments of the District Lands Officer/Yuen Long, Lands Department that the Site comprises Old Schedule Agricultural Lots and Government land (GL) held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. No permission is given for the occupation of the GL (about 8m<sup>2</sup>) included in the Site. Any occupation of GL without Government's prior approval is an offence under Cap. 28. GL should not be disturbed unless with prior approval;
- (d) to note the comments of the Commissioner for Transport that sufficient manoeuvring spaces shall be provided within the Site or its adjacent area. No vehicles are allowed to queue back to public roads or reverse onto/from public roads;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
  - the run-in/out from Lau Fau Shan Road to the Site should be constructed and maintained by the applicant. The run-in/out should be removed and the public road should be reinstated to the satisfaction of HyD upon completion of the use of site; and
  - adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department that:
  - the required condition record should include coloured photos showing the current condition of the drainage facilities and a layout plan indicating the locations of the photos taken. The submitted photos should cover all internal surface channels, catch pits, sand traps, manholes, terminal catch pits/manholes and the downstream discharge path as indicated on the submitted drainage proposal; and
  - the drainage facilities shall be properly designed, constructed and maintained in good condition without causing adverse drainage impact to the adjacent area at all times, and the applicant/owner is required to rectify/modify the drainage systems if they are found to be inadequate or ineffective to accommodate the additional runoff arisen from the application. The applicant/owner shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure or ineffectiveness of the drainage systems caused by his application;
- (g) to note the comments of the Director of Fire Services that if the structures are required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire safety requirements will be formulated upon receipt of the formal submission of general building plans;

- (h) to note the comments of the Director of Environmental Protection that the applicant is advised:
- to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites”;
  - to follow the relevant guidelines and requirements in relevant Professional Persons Environmental Consultative Committee Practice Notes (ProPECCPNs). If septic tank and soakaway system will be used in case of unavailability of public sewer, its design and construction shall follow the requirements of ProPECC PN 1/23 “Drainage Plans subject to Comment by the Environmental Protection Department” including completion of percolation test and certification by Authorized Person;
  - to provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the applied use; and
  - to meet the statutory requirements under relevant environmental legislation;
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- before any new building works (including containers/open sheds as temporary buildings, demolition and land filling) are to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained, otherwise they are unauthorised building works (UBW) under the BO. An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
  - the Site shall be provided with emergency vehicular access in accordance with Regulations 41D of the Building (Planning) Regulations (B(P)R);
  - the Site abuts on a specified street (Lau Fau Shan Road) of not less than 4.5 m wide. Its permitted development intensity shall be determined under the First Schedule of the B(P)R, where no plot ratio / gross floor area restriction has been stipulated in statutory plans / approved planning applications;
  - if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the BA, they are UBW under the BO and should not be designated for any applied use under the application;
  - for UBW erected on leased land, enforcement action may be taken by the 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;
  - any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings are subject to the control of Part VII of the B(P)R;
  - the 6.5m high plant room and 12m high 2-storey logistic centre and site office may be considered excessive. It should be justified upon formal plan submission to BD; and
  - detailed comments under the BO will be provided at building plan submission stage;
- (j) to note the comments of the Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD) that the Site may be resumed at any time during the planning approval period for potential development project and shall be advised not to carry out any substantial works therein; and

- (k) to note the comments of the Chief Engineer/ Northern Metropolis Railways Division (2), Highways Department that the Site may be resumed in early 2028 for potential development of the Hong Kong Section of Hong Kong-Shenzhen Western Rail Link project and not to carry out any substantial works therein.