

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-FTA/280

<u>Applicant</u>	: Standard Billion Limited represented by R-riches Planning Limited
<u>Site</u>	: Various Lots in D.D. 89 and adjoining Government Land (GL), Man Kam To, New Territories
<u>Site Area</u>	: About 16,256m ² (including GL of about 80m ² , or about 0.5% of the Site)
<u>Lease</u>	: (a) New Grant Lot (for Lot 526 in D.D. 89 only) for agricultural purpose only (b) Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Fu Tei Au and Sha Ling Outline Zoning Plan (OZP) No. S/NE-FTA/18
<u>Zoning</u>	: “Agriculture” (“AGR”)
<u>Application</u>	: Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land 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 associated filling of land for a period of three years and at the application site (the Site) falling within an area zoned “AGR” on the OZP. According to the 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 largely formed, fenced-off and under construction, with a small vegetated portion at the northwestern part (**Plans A-4a to A-4e**).
- 1.2 According to the applicant, the application is submitted to facilitate the relocation of his current business operation in Hung Shiu Kiu, Yuen Long being affected by government project, i.e. the Hung Shiu Kiu/Ha Tsuen New Development Area (HSK/HT NDA). The affected operation involves a site area of about 18,279m² and floor area of about 13,533m², and is currently used for warehouse with ancillary facilities. The affected land in Hung Shui Kiu has been resumed by the Government in 2024.
- 1.3 The Site is accessible via a local track leading to Man Kam To Road to its east (**Plan A-2**). According to the applicant, the proposed use consists of three two-storey temporary structures with a building height (BH) of about 16.5m and a total floor area of about 9,998m² for warehouse (excluding dangerous goods godown) for storage of

miscellaneous goods (e.g. packaged food and beverage, apparel and footwear, etc.) and ancillary office, canteen and toilet uses. An uncovered area of about 9,424m² (about 58% of the Site) is proposed for circulation area, parking and loading/unloading (L/UL) spaces. Ten parking spaces for private cars (5m (L) x 2.5m (W)), three L/UL spaces for medium goods vehicles (MGV) (11m (L) x 3.5m (W)) and six L/UL spaces for container vehicles (16m (L) x 3.5m (W)) will be provided at the Site. A 10m-wide ingress/egress for vehicles is proposed at the northeastern boundary of the Site. A 2.5m high solid metal fence will be erected along the site boundaries. The proposed operation hours are between 7:00 a.m. and 7:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. The layout plan submitted by the applicant is shown in **Drawing A-1**.

- 1.4 The applicant also applies for associated filling of land of about 14,160m² (about 87% of the Site) with concrete to a depth of not more than 2.5m¹ for site formation of structures, parking and L/UL spaces and circulation area. An existing wetland of about 1,833m² (about 11% of the Site) at the northwestern part of the Site will be preserved. The land filling plan submitted by the applicant is shown in **Drawing A-2**.
- 1.5 According to the applicant, sufficient manoeuvring space will be provided within the Site to ensure no queueing of vehicles on public road; no gate will be installed at the ingress/egress; staff will be deployed at the ingress/egress to direct vehicle entering/exiting the Site; and traffic signs will be installed at the ingress/egress to enhance pedestrian safety.
- 1.6 A drainage impact assessment (DIA) report, a tree survey report, a landscape proposal and an ecological impact assessment (EcoIA) report (**Appendix Ia**), which were accepted by relevant departments under the previous application No. A/NE-FTA/247, are submitted by the applicant to support the application. According to the submissions, a minimum setback of 3m will be reserved between the Site and the streamcourse surrounding the Site; and the wet grassland at the northwestern part of the Site (about 1,833m²) will be preserved and appropriate mitigation measures/buffer including site hoarding will be provided to avoid impact on the wetland habitat. The proposed drainage system comprises an underground storage tank as well as U-channels, manholes and catchpits along the site boundaries. A watercourse along the northwestern boundary is proposed to be widened to 3.7m to improve drainage capacity. In addition, a temporary drainage system comprising a temporary storage area, channels and emergency pump has been provided to minimise drainage impact during the construction stage. The accepted drainage plan and temporary drainage system plan submitted by the applicant are shown in **Drawings A-3** and **A-4** respectively. In terms of sewage treatment, the applicant proposes to provide portable toilets within the Site and deploy regular de-sludging services by a licenced collector. While all existing trees (28 nos.) within the Site have been felled, no old and valuable tree (OVT) or protected species are identified in the tree survey. Compensatory tree planting in a ratio of 1:1 in terms of quantity is proposed and 28 *Senna surattensis* (黃槐) will be planted in continuous soil trench along the northwestern and southwestern boundaries of the Site. The accepted landscape proposal submitted by the applicant is shown in **Drawing A-5**.
- 1.7 The Site is the subject of a previous application (No. A/NE-FTA/247) (**Plan A-1**) submitted by the same applicant for the same use, which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 6.12.2024, as detailed in paragraph 5.3 below. The planning permission was subsequently

¹ According to the applicant, the ground levels after filling of land will be about +7.5mPD. The site formation works have commenced in accordance with the approved scheme under previous application (No. A/NE-FTA/247).

revoked on 6.9.2026 due to non-compliance with approval conditions. Compared with the previous application (No. A/NE-FTA/247), the current proposal mainly involves an increase in number of structures, reduction in total floor area and site coverage, as well as revisions to the development layout. A comparison of the major development parameters of the current application and the previous application (No. A/NE-FTA/247) is summarised as follows:

Major Development Parameters	Approved Scheme under Application No. A/NE-FTA/247 (a)	Proposed Scheme under Current Application (b)	Differences (b) – (a)
Site Area (about)	16,256m ²	16,256m ²	No change
No. of Structures	2	3	+1 (+50%)
Total Floor Area (about)	14,738m ²	9,998m ²	-4,740m ² (-32%)
BH (about)	16.5m	16.5m	No change
No. of Storeys	2	2	No change
Site Coverage	45%	31%	-14%
No. of Parking Spaces			
• Private Car	10	10	No change
No. of L/UL Spaces			
• MGW	3	3	No change
• Container vehicle	6	6	No change

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

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| (a) Application Form received on 15.5.2026 | (Appendix I) |
| (b) Supplementary Planning Statement (SPS) received on 15.5.2026 | (Appendix Ia) |
| (c) Supplementary Information (SI) received on 21.5.2026 | (Appendix Ib) |
| (d) Further Information (FI) received on 3.9.2026 [#] | (Appendix Ic) |

[#] *accepted but not exempted from the publication and recounting requirements*

1.9 On 10.7.2026, the Committee agreed to the applicant's request to defer making a decision on the application for two months.

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 FI at **Appendices Ia to Ic**, as summarised below:

- (a) the application is submitted to relocate the applicant's current operation in Hung Shui Kiu, which has been resumed by the Government in 2024. The area of the Site (about 16,256m²) and the total floor area (about 9,998m²) proposed under the application are smaller than the applicant's original business in HSK (i.e. a total site area of about 18,279m² (-11%) and a total floor area of about 13,533m² (-26%)). A significant portion of the Site (about 9,424m² or 58% of the Site) is uncovered and designated for manoeuvring/parking of vehicles and circulation area in support of the proposed use.

Compared to the affected site in HSK, such arrangement would minimise the potential adverse traffic impact to the surrounding road networks;

- (b) the applicant has spent effort in identifying suitable sites for relocation of his business premises. While the applicant has identified a number of alternative sites in various areas including Tuen Mun, Ma Tso Lung and Yuen Long for relocation, those sites were considered not suitable due to reasons such as land use incompatibility, environmental consideration, land ownership and relatively small site area, etc. The Site is identified for relocation as it is relatively flat and easily accessible via Man Kam To Road;
- (c) the Site is the subject of a previously approved application (No. A/NE-FTA/247) submitted by the same applicant for the same use. The applicant has spent efforts in complying with approval conditions relating to ecological, drainage and fire safety aspects. The accepted DIA, tree survey report, landscape proposal and EcoIA report under the previous application are submitted in support of the current application. Approval of the current application is in line with the Committee's previous decision;
- (d) approval of the application on a temporary basis would not frustrate the long-term planning intention of the "AGR" zone. The applicant will reinstate the Site to an amenity area after the planning approval period;
- (e) the proposed use is considered not incompatible with the surrounding land uses, which are predominately occupied by temporary structures for logistics centres, open storage yards and vacant land. There is an approved application (No. A/NE-FTA/271) for similar use in the vicinity of the Site;
- (f) no adverse traffic, landscape, environmental, ecological, drainage and fire safety impacts are anticipated. Should the application be approved, the applicant will strictly comply with all environmental protection/pollution control ordinances at all times during the planning approval period; and will follow the requirements in the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' ('COP'), Professional Persons Environmental Consultative Committee Practices Notes and 'Control of Oil Fume and Cooking Odour from Restaurants and Food Business' to minimise adverse environmental impacts and nuisance to the surrounding areas; and
- (g) should the application be approved, the applicant will submit applications for Short Term Waiver (STW) and Short Term Tenancy to the Lands Department (LandsD) for erection of structures and occupation of GL.

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 sending notices to the Ta Kwu Ling District Rural Committee and publishing newspaper notices. Detailed information would be deposited at the meeting for Members' inspection. For the GL portion of the Site, TPB PG-No. 31B is not applicable.

4. **Background**

The Site is not subject to any active enforcement action².

5. **Previous Applications**

- 5.1 The Site is the subject of five previous applications (No. A/NE-FTA/151, 156, 182, 186 and 247) submitted by different/same applicants for different/same uses.
- 5.2 Amongst them, four applications (No. A/NE-FTA/151, 156, 182 and 186), which were submitted by different applicants for proposed temporary goods reshuffling yards and L/UL platforms, and proposed filling of land and pond for permitted agricultural use (hydroponic farm), were all rejected by the Committee or the Board on review between 2015 and 2018. Their considerations are not applicable to the current application which involves a different use.
- 5.3 The remaining application (No. A/NE-FTA/247) submitted by the same applicant for the same use was approved with conditions by the Committee on 6.12.2024 mainly on the considerations that the Secretary for Development (SDEV) rendered policy support to the application for relocation of brownfield operation affected by government projects; the proposed use was not entirely incompatible with the surrounding areas; no major adverse departmental comments were received on the application; and the concerns of the relevant government departments could be addressed through implementation of approval conditions. The planning permission was subsequently revoked on 6.9.2026 due to non-compliance with approval conditions relating to implementation of traffic management measures, drainage and fire service installations proposals. Compared with the previous application, the current application mainly involves an increase in number of structures from two to three, reduction in total floor area and site coverage by about 32% and 14% respectively, as well as revisions to the development layout, as detailed in paragraph 1.7 above.
- 5.4 Details of the previous applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

6. **Similar Applications**

- 6.1 There are four similar applications (No. A/NE-FTA/220, 238, 258 and 271) involving two sites within/partly within the same “AGR” zone in the vicinity of the Site in the Fu Tei Au and Sha Ling area in the past five years.
- 6.2 Applications No. A/NE-FTA/220³ and 258 involving the same site for proposed cold storage for poultry and distribution centre (CSDC) were approved by the Committee in 2023 and 2025 respectively mainly on the considerations that the then Food and Health Bureau/Environmental and Ecology Bureau rendered policy supports to the applications

² Part of the Site was subject to planning enforcement action against an Unauthorised Development (UD) (No. E/NE-FTA/217) involving filling of land. An Enforcement Notice (EN) was issued on 24.6.2025 to the concerned land owners requiring discontinuation of the UD, and a Reinstatement Notice (RN) was issued on 7.7.2025 to the concerned land owners requiring reinstatement of land. Subsequent site inspections revealed that the UD was discontinued and the concerned land was reinstated. A Compliance Notice (CN) for EN was issued on 3.11.2025 and a CN for RN was issued on 4.11.2025.

³ The permission was revoked on 10.5.2025 due to non-compliance with approval conditions.

as there was a genuine operational need for a CSDC for poultry in Hong Kong; no adverse departmental comments were received on the application; and the concerns of the relevant government departments could be addressed through implementation of approval conditions.

- 6.3 Applications No. A/NE-FTA/238⁴ and 271 involving the same site for proposed temporary warehouse (excluding dangerous goods godown) were approved by the Committee in 2024 and 2026 respectively mainly on the considerations that the proposed use was not entirely incompatible with the surrounding areas; no major adverse departmental comments were received on the application; and the concerns of the relevant government departments could be addressed through implementation of approval conditions.
- 6.4 Details of the similar applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.

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

7.1 The Site is:

- (a) currently largely formed, fenced-off and under construction, with a small vegetated portion at the northwestern part;
- (b) generally bounded by existing natural streamcourses and ponds; and
- (c) accessible via a local track leading to Man Kam To Road to the east.

- 7.2 The surrounding areas are rural in character comprising village cluster of Sha Ling Village (not a recognized village), temporary structures and warehouses (including the one to the southeast across Dongjiang water mains which is covered by a valid planning permission (application No. A/NE-FTA/271)), intermixed with active/fallow agricultural land, tree clusters, vacant land, ponds and streamcourses. A site covered by a valid planning permission (application No. A/NE-FTA/258) for proposed CSDC is located to the north of the Site across Lo Wu Station Road and Sha Ling Playground and is currently under construction.

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.

⁴ The permission was revoked on 21.12.2025 due to non-compliance with approval conditions.

9. **Comments from Relevant Government Bureau/Departments**

9.1 Apart from the government bureau/departments as set out in paragraphs 9.2 to 9.4 below, other departments consulted have no objection to or no adverse comments on the application. Their general comments on the application and recommended advisory comments are at **Appendices IV** and **V** respectively.

9.2 The following government bureau supports the application:

Policy Aspect

9.2.1 Comments of SDEV:

- (a) the application is to facilitate relocation of a brownfield operation providing warehouse previously located at Hung Shui Kiu. The brownfield operation has been affected by the Second Phase development of the HSK/HT NDA;
- (b) according to the applicant, a site search has been conducted with a view to identifying suitable site for re-establishment of the business elsewhere, and the Site under the current application is the most suitable relocation site. The site area under the current application is smaller than the area of the original premises of the affected brownfield operation. It also involves a previously approved application No. A/NE-FTA/247 with policy support to facilitate the relocation; and
- (c) subject to no adverse comments on land use compatibility and technical aspects from concerned departments, the application is supported from the policy perspective.

9.3 The following government departments object to/do not support the application:

Land Administration

9.3.1 Comments of the District Lands Officer/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 contains the restriction that no structures are allowed to be erected without the prior approval of the Government, except for Lot 526 in D.D. 89, which is held under New Grant No. 6514 for the purpose of agriculture only and no structure shall be erected on the lot. The proposed ingress/egress of the Site is required to pass through GL but no right of access via GL is granted to the Site;
- (c) the following irregularity covered by the subject planning application has been detected by his office:

Unlawful occupation of GL adjoining the private lots covered by the planning application

the GL within the Site has been fenced off/illegally occupied without any permission. Any occupation of GL without Government's prior approval is an offence under the Land (Miscellaneous Provisions) Ordinance (Cap. 28). LandsD objects to the planning application since there is illegal occupation of GL which regularization would not be considered according to prevailing land policy. The lot owner(s) should immediately cease the illegal occupation of GL as demanded by LandsD. His office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice;

- (d) if the planning application is approved, the lot owners shall apply to his office for a STW (on whole lot basis) to permit the structures erected within the said private lots. The application 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 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 structures will be considered;
- (e) unless and until the unlawful occupation of GL is duly rectified by the lot owners/applicant, his office has objection to the application and it must be brought to the attention of the Board when the application is being considered; and
- (f) his other advisory comments are at **Appendix V**.

Agriculture and Nature Conservation

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

Agriculture

- (a) he does not support the application from agricultural perspective as the Site possesses potential for agricultural rehabilitation;
- (b) 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.; and

Nature Conservation

- (c) he has no adverse comment on the application and the EcoIA submitted from nature conservation perspective. Nevertheless, it is noted from the EcoIA that the wet grassland within the Site will be preserved. The applicant should consider adjusting the site boundary to exclude the wet grassland. Should the application be approved, it is suggested to impose approval condition on the implementation of the ecological mitigation measures as identified in the EcoIA before the commencement of any operation.

Environment

9.3.3 Comments of the Director of Environmental Protection (DEP):

- (a) he is unable to lend support to the application from environmental planning perspective as the proposed use involves the use of heavy vehicles and residential dwellings are identified within 100m from the Site (**Plan A-2**);
- (b) he has no comment on the proposed associated filling of land from environmental planning perspective subject to implementation of mitigation measures as listed in the Recommended Pollution Control Clauses (RPCC) for Construction Contracts;
- (c) there were 39 environmental complaints pertaining to the Site received in the past three years, which were mainly related to construction and demolition (C&D) waste filling activities and construction dust received in 2025 and 2026. Enforcement actions were taken under Air Pollution Control (Construction Dust) Regulation (Cap. 311R) in relation to offences committed between March and September 2025, and the defendant pleaded guilty at the hearing; and
- (d) his advisory comments are at in **Appendix V**.

9.4 The following government departments provide views on the application:

Geotechnical

9.4.1 Comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

- (a) he has no adverse comment on the application subject to imposing approval conditions on the submission of a revised preliminary geotechnical assessment report and implementation of the necessary remedial works identified therein; and
- (b) his advisory comments are at **Appendix V**.

Traffic

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

- (a) she has no comment on the application from traffic engineering perspective;
- (b) taking into consideration the location of the Site, existing adjacent developments, existing adjacent pedestrian footway, traffic conditions and requirement for vehicular access etc., should the application be approved, approval conditions on the submission and implementation of traffic management measures, as proposed by the applicant, before the commencement of any operation, and maintenance of the traffic management measures should be included; and

- (c) her advisory comments are at **Appendix V**.

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

- (a) he has no comment on the application from highways maintenance perspective;
- (b) the proposed access arrangement for the run-in/out at Man Kam To Road should be commented and approved by the Transport Department (TD);
- (c) if the proposed run-in/out is approved by TD, the applicant is required to construct the run-in/out in accordance with prevailing HyD Standard Drawings to the satisfaction of HyD and TD; and
- (d) his advisory comments are at **Appendix V**.

10. Public Comments Received During Statutory Publication Periods

On 22.5.2026 and 11.9.2026, the application was published for public inspection. During the statutory public inspection periods, a total of 57 public comments were received (**Appendix VI**) including six comments from the Ta Kwu Ling District Rural Committee, Conservancy Association, Kadoorie Farm & Botanic Garden Corporation (KFBG) and representatives of 打鼓嶺沙嶺村居民福利會 (involving a total of 140 signatures) as well as 51 villagers/individuals (including 14 in the form of standard letters) object to the application mainly on the grounds that the application is not in line with the planning intention of the “AGR” zone; the proposed use is incompatible with surrounding areas; the nearby village settlement and agricultural land will be seriously disturbed; the proposed use will result in adverse impacts on environmental (dust, noise, waste, water), ecological (wetland habitat, Greater painted-snipe and other wetland-associated species), drainage, traffic and road safety, fire safety and water supplies (Dongjiang water mains) aspects during both construction and operation phases; the submitted technical assessments are incomprehensive and inadequate; the Site is the subject of suspected unauthorised site formation and construction works, especially during night time and holidays; the Site is located in a low-lying area and the proposed filling of land will lead to and intensify the flooding problem; the Site is located within the proposed “Green River Valley” under the New Territories North proposal; the Site is the subject of a revoked application (No. A/NE-FTA/247) and the approval conditions under the previous application have not been fully complied with; and the applicant is not authorised by the land owner to submit the application, and there are ongoing legal and land title disputes concerning the Site. KFBG also suggests that, should the application be approved, approval condition on reinstatement of the Site should be imposed.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary warehouse (excluding dangerous goods godown) with ancillary facilities associated filling of land for a period of three years at the Site which is zoned “AGR” on the OZP (**Plan A-1**). Although 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, the application is submitted to facilitate the relocation of brownfield operations affected by the HSK/HT NDA and policy support from SDEV has been given. Taking into account the planning assessments below, there is no

objection to the proposed use with associated filling of land on a temporary basis of three years.

- 11.2 The application involves filling of land of about 14,160m² (about 87% of the Site) with concrete to a depth of not more than 2.5m for site formation of structures, parking and L/UL spaces and circulation area. Filling of land within the “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the surrounding areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department has no objection to the application from public drainage perspective, while DEP has no adverse comment on the proposed associated filling of land from environmental perspective subject to implementation of mitigation measures as listed in the RPCC for Construction Contracts. 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 of the Board decide to approve the application.
- 11.3 The Site, which is currently largely formed, fenced-off and under construction, with a small vegetated portion at the northwestern part, is situated in an area of rural character comprising village cluster of Sha Ling Village, temporary structures and warehouses, intermixed with active/fallow agricultural land, tree clusters, vacant land, ponds and streamcourses (**Plans A-2 to A-4e**). To the southeast across Dongjiang water mains is a warehouse covered by a valid planning permission (application No. A/NE-FTA/271), while a proposed CSDC with a valid planning permission (application No. A/NE-FTA/258) is located to the north of the Site across Lo Wu Station Road and Sha Ling Playground (**Plan A-2**). The proposed use is considered not entirely incompatible with the surrounding land uses. Noting that no distinctive landscape resources are found within the Site and the applicant has submitted a landscape proposal to mitigate the landscape impacts arising from the proposed use (**Drawing A-5**), the Chief Town Planner/Urban Design and Landscape of PlanD considers that significant adverse landscape impact arising from the proposed use is not anticipated and has no adverse comment on the application from landscape planning perspective.
- 11.4 DEP is unable to lend support to the application as the proposed use involves the use of heavy vehicles and environmental nuisance on the sensitive receivers (i.e. domestic structures) in the vicinity of the Site is expected (**Plan A-2**). The Site was also the subject of substantiated environmental complaints concerning C&D waste filling activities and construction dust received in the past three years. In this regard, the applicant has committed to strictly follow the ‘COP’ and comply with all environmental protection/pollution control ordinances at all times to minimise dust impacts and noise nuisance. Should the application be approved, the applicant will be advised to follow the latest ‘COP’ to minimise the possible environmental nuisances on the surrounding areas.
- 11.5 Other concerned government departments consulted, including the Director of Fire Services and H(GEO), CEDD, have no objection to or no adverse comment on the application. Noting that the wet grassland within the Site will be preserved and appropriate mitigation measures/buffer will be provided to avoid impact on the wetland habitat, DAFC has no adverse comment on the application from nature conservation perspective, and recommends imposing an approval condition on the implementation of the ecological mitigation measures as identified in the EcoIA before the commencement of any operation. While C for T has no comment on the application from traffic engineering perspective, she recommends imposing approval conditions on the submission and implementation of traffic management measures, as proposed by the

applicant, before the commencement of any operation, and maintenance of the traffic management measures, taking into consideration its location, existing adjacent developments, existing adjacent pedestrian footway, traffic conditions and requirement for vehicular access. To address the technical requirements of the concerned government departments, appropriate approval conditions are recommended in paragraph 12.2 below. Regarding DLO/N, LandsD's concerns on the unlawful occupation of GL, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application. Furthermore, the applicant will be advised to submit the proposed building works and associated site formation works to the Buildings Department for approval as required under the provisions of the Buildings Ordinance should the Committee approve the application.

- 11.6 The Site is the subject of a previously approved application (No. A/NE-FTA/247) submitted by the same applicant for the same use (**Plan A-1**) as mentioned in paragraph 5.3 above. The last planning permission was revoked on 6.9.2026 due to non-compliance with approval conditions. For the current application, the applicant has revised the development layout, with corresponding adjustments to major development parameters as detailed in paragraph 1.7 above, to better meet the operational need, and has also committed to implement the accepted EcoIA and DIA to the satisfaction of relevant government departments should the application be approved. In view of the above, sympathetic consideration may be given to the application. Should the Committee decide to approve the application, the applicant will be advised that failure to comply with any of the approval conditions again resulting in the revocation of the planning permission, sympathetic consideration may not be given to any further applications.
- 11.7 In addition, there are four similar applications for temporary warehouse and CSDC use within/partly within the same "AGR" zone approved by the Committee (**Plan A-1**) as mentioned in paragraph 6 above. The planning circumstances of the current application are similar to those of the approved applications. Approval of the current application is in line with the Committee's previous decisions.
- 11.8 Regarding the adverse public comments mentioned in paragraph 10 above, the government bureau's/departments' comments and the planning assessment above are generally relevant. For the public comments expressing that the applicant had not been authorised by the land owner(s) to submit the application, the applicant has complied with the requirements as set out in TPB PG-No. 31B. Nonetheless, should the application be approved, the applicant will be advised to resolve any land issues relating to the development with the concerned owner(s) of the Site, and liaise with the locals to explain the details of the proposed use.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account public comments 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 23.10.2029. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval Conditions

- (a) the implementation of the ecological mitigation measures as identified in the ecological impact assessment before the commencement of any operation to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the Town Planning Board;
- (b) the submission and implementation of traffic management measures, as proposed by the applicant, before the commencement of any operation to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (c) in relation to (b) above, the implemented traffic management measures shall be maintained at all times during the planning approval period;
- (d) the submission of the design of vehicular run-in/run-out at Man Kam To Road within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the Town Planning Board by 23.4.2027;
- (e) in relation to (d) above, the provision of vehicular run-in/run-out at Man Kam To Road within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the Town Planning Board by 23.7.2027;
- (f) the submission of a revised preliminary geotechnical assessment report within 6 months from the date of planning approval to the satisfaction of the Director of Civil Engineering and Development or of the Town Planning Board by 23.4.2027;
- (g) in relation to (f) above, the implementation of the necessary remedial works identified therein within 9 months from the date of planning approval to the satisfaction of the Director of Civil Engineering and Development or of the Town Planning Board by 23.7.2027;
- (h) the implementation of the flood mitigation measures and other stormwater drainage facilities as identified in the drainage impact assessment 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 23.7.2027;
- (i) in relation to (h) above, the implemented flood mitigation measures and drainage facilities shall be maintained at all times during the planning approval period;
- (j) the submission of a fire services installation 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 23.4.2027;
- (k) in relation to (j) above, the implementation of the fire services 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 23.7.2027;
- (l) if the above planning condition (a) or (b) is not complied with before the commencement of any operation, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;

- (m) if any of the above planning condition (c) or (i) 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;
- (n) if any of the above planning condition (d), (e), (f), (g), (h), (j) or (k) 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
- (o) upon the expiry of the planning permission, the reinstatement of the Site, including the removal of fill materials and hard paving, 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 V**.

- 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 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 the 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 received on 15.5.2026
Appendix Ia	SPS received on 15.5.2026
Appendix Ib	SI received on 21.5.2026
Appendix Ic	FI received on 3.9.2026
Appendix II	Previous Applications
Appendix III	Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comments
Drawing A-1	Layout Plan

Drawing A-2	Land Filling Plan
Drawing A-3	Drainage Proposal
Drawing A-4	Temporary Drainage System
Drawing A-5	Landscape Proposal
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4e	Site Photos

**PLANNING DEPARTMENT
OCTOBER 2026**