

Previous S.16 Application

Rejected Application

Application No.	Uses/ Development	Date of Consideration	Rejection Reasons
A/NE-MUP/80	Proposed Filling of Land for Temporary Public Vehicle Park (Private Car, Light Goods Vehicle and Medium Goods Vehicle), Ancillary Office and Rain Shelter for a Period of 3 Years	23.11.2012	R1 to R3

Rejection Reasons

- R1 The application was not in line with the planning intention of the “Agriculture” zone which was primarily to retain and safeguard good-quality agricultural land/farm/fish ponds for agricultural purposes. It was also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There was no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis.
- R2 The proposed development was incompatible with the rural character of the surrounding area which was predominately agricultural with domestic structures to its immediate north.
- R3 There was no information in the application to demonstrate that the proposed development would have no adverse traffic, environmental and landscape impact on the surrounding area.

**Similar S.16 Applications for Temporary Warehouse
in the Vicinity of the Application Site within “Agriculture” Zone in the Past Five Years**

Approved Applications

	Application No.	Uses/Developments	Date of Consideration
1.	A/NE-MUP/194	Proposed Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land	16.2.2024 (Revoked on 16.08.2025)
2.	A/NE-MUP/208	Proposed Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years	20.12.2024
3.	A/NE-MUP/218	Temporary Warehouse (excluding Dangerous Goods Godown) and Associated Filling of Land for a Period of 3 Years	7.11.2025
4.	A/NE-MUP/227	Proposed Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years	17.4.2026
5.	A/NE-MUP/233	Proposed Temporary Warehouse (excluding Dangerous Goods Godown) and Associated Filling of Land for a Period of 3 Years	26.6.2026

Government Departments' General Comments

1. Traffic

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

- no comment on the application from highways maintenance point of view;
- the proposed access road connecting the application site (the Site) to Sha Tau Kok Road – Wo Hang is not under the maintenance of HyD; and
- his advisory comments are at **Appendix V**.

2. Drainage

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

- no objection to the application from public drainage viewpoint;
- should the application be approved, approval conditions should be included to request the applicant to submit and implement a drainage proposal for the Site to ensure that it will not cause adverse drainage impact on the adjacent areas and the drainage facilities should be properly maintained at all times during the planning approval period;
- the Site is in an area where public sewerage connection is not available. The Environmental Protection Department should be consulted regarding the sewerage impact assessment and sewage treatment/disposal facilities for the proposed use; and
- her advisory comments are at **Appendix V**.

3. Fire Safety

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

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

4. Landscape

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

- no adverse comments on the application from the 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 village houses, farmlands, warehouses, open storages, vegetated areas and tree clusters. The proposed use is considered not entirely incompatible with the surrounding environment;
- with reference to the above aerial photo and site photos taken on 12.6.2026, the Site was fenced-off and covered with wild plants. No trees were observed on it. According to the Application Form, no tree felling will be involved; and

- in view of the above, significant adverse landscape impact arising from the application is not anticipated.

5. **Environment**

Comments of the Director of Environmental Protection (DEP):

- Since no heavy vehicle nor dusty operation is involved, he has no objection to the application from environmental planning perspective;
- no comment on the proposed 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 against the Site was received over the past three years; and
- his advisory comments are at **Appendix V**.

6. **Building Matters**

Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- no objection to the application;
- there is no record of approval granted by the Building Authority (BA) for the existing structure at the Site;
- it is noted that two structures and land filling are proposed on the Site. Before any new building works are to be carried out on the Site, prior approval and consent of 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 under the Buildings Ordinance (BO). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO; and
- his advisory comments are at **Appendix V**.

7. **Other Departments**

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

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Project Manager (North), CEDD (PM(N), CEDD); and
- (c) District Officer (North), Home Affairs Department (DO(N), HAD).

Recommended Advisory Clauses

- (a) failure to reinstate the application site (the Site) as required under the relevant approval condition upon expiry of the planning permission might constitute an unauthorized development under the Town Planning Ordinance and be subject to enforcement and prosecution actions;
- (b) to note the comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD) that:
 - (i) the Site comprises Old Schedule Agricultural Lot 207 in D.D. 38 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. The proposed ingress/egress of the Site is required to pass through Government Land (GL) but no right of access via GL is granted to the Site;
 - (ii) the following irregularities covered by the subject planning application have been detected by his office:

unauthorised structure(s) within the said private lot covered by the planning application

there is unauthorised structure on the private lot. The lot owner should immediately rectify/regularise the lease breaches and his office reserves the rights to take necessary enforcement action against the breaches without further notice;

- (iii) the following irregularities not covered by the subject planning application have been detected by his office:

unlawful occupation of GL not covered by the planning application

the GL adjoining the said private lot has been fenced off/illegally occupied without permission. The GL being illegally occupied is not included in the application. The applicant should clarify the extent of the Site. Any occupation of GL without Government's prior approval is an offence under Cap. 28. His office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice;

- (iv) the lot owner/applicant shall either (i) remove the fencing and cease the illegal occupation of the GL not covered by the application immediately; or (ii) include the adjoining GL being illegally occupied in the planning application for further consideration by the relevant departments and, subject to the approval of the Town Planning Board to the planning application which shall have reflected the rectification or amendment as aforesaid required, apply to his office for a Short Term Wavier (STW) and/or a Short Term Tenancy (STT) to permit the structure(s) erected/to be erected and the occupation of GL. The application for STW and/or STT 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. The STW/STT, if approved, will be subject to such terms and conditions including the payment of back-dated waiver fee/rent and administrative fee as considered appropriate to be imposed by LandsD, given the proposed use is temporary in nature, only erection of temporary structures will be considered. In addition, LandsD reserves the right to take enforcement action against the lot owner for any breach of the lease conditions, including the breach(es) already in existence or to be detected at any point of time in future and land control action for any unlawful occupation of GL; and

- (v) the applicant should comply with all the land filing requirements imposed by relevant Government departments. GL should not be disturbed unless with prior approval;
- (c) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that the applicant should implement good site practices and measures to avoid adverse impacts on the pond nearby;
- (d) to note the comments of the Commissioner for Transport (C for T) that:
 - (i) the Site is connected to Sha Tau Kok Road – Wo Hang via a section of a local access road which is not managed by the Transport Department (TD). The land status of the local access road should be checked with LandsD; and
 - (ii) the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities. Sufficient manoeuvring space within the Site shall be provided. No vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD) that:
 - (i) the proposed access arrangement, traffic impact and swept path analysis should be commented by TD;
 - (ii) HyD is not/shall not be responsible for the maintenance of any access connecting the Site and Sha Tau Kok Road – Wo Hang; and
 - (iii) adequate drainage measures should 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 (CE/MN, DSD) that:
 - (i) the drainage facilities should be rectified if they are found inadequate/ineffective during operation;
 - (ii) the applicant should construct and maintain the proposed drainage facilities whether within or outside the Site at his own expense; and
 - (iii) the Site is in an area where public sewerage connection is not available. The Environmental Protection Department should be consulted regarding the sewerage impact assessment and sewage treatment/disposal facilities for the proposed use;
- (g) to note the comments of the Director of Fire Services (D of FS) that:
 - (i) in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. The applicant should submit relevant layout plans incorporated with the proposed FSIs to his department for approval. In addition, the applicant should note that:
 - the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy;
 - the location of the proposed FSIs to be installed should be clearly marked on the layout plans; and

- (ii) if the proposed structures are required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans;
- (h) to note the comments of the Director of Environmental Protection (DEP) that:
 - (i) the applicant should observe the requirements of the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites';
 - (ii) the applicant should implement relevant mitigation measures listed in the 'Recommended Pollution Control Clauses for Construction Contracts' during filling of land; and
 - (iii) treatment of the sewage produced from the Site shall meet the requirements of Professional Persons Environmental Consultative Committee Practice Notes 1/23 'Drainage Plans subject to Comment by the Environmental Protection Department' for the proposed septic tank and soakaway pit system with certification by Authorized Person (AP) to avoid causing nuisance to the nearby environment including the water bodies (pond and stream); and
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
 - (i) it is noted that two structures and land filling are proposed on the Site. Before any new building works are to be carried out on the Site, prior approval and consent of the Building Authority (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 Buildings Ordinance (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 drawing on the following points:
 - the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulation 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 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 under the application;
 - 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 on 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 are 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 a proposed development. 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 Fittings, Plumbing, Drainage Works and Latrines) Regulations in respect of disposal of foul water and surface water respectively;
- the 9m high warehouses are 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.

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tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年06月20日星期六 15:00
收件者: tpbpd/PLAND
主旨: 反对在本建临时维修车场

類別: Internet Email

本人是萬屋邊村原居民村代表，本村村民堅決反對 A/NE-MUP/234 和 A/NE-MUP/235 在本村做臨時海汽車維修工場，嚴重影响本村居民出入和對本村老人和兒童造成危險性存在，因本村是單行線人車共行出入，因貴處前两次不重視本村反對批准本村路口做臨時倉房，時常大型車輛出入，阻塞道路令本村村民返工返學非常不便，希望貴處能重視本村訴求否決申請。

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致城市規劃委員會秘書：

專人送達或郵遞：香港北角道華道 333 號北角政府合署 15 樓

傳真：28 77 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 Jaffe 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/NR-MUP/235

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

沒有意見

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

簽署 Signature

日期 Date

20-6-2024

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tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年06月22日星期一 14:25
收件者: tpbpd/PLAND
類別: .csmng, Internet Email

本人是萬屋邊村原居民村代表鍾子榮，本村村民堅決反對 A/NE-MUP/234 和 A/NE-MUP/235 在本村做臨時海汽車維修工場，嚴重影响本村居民出入和對本村老人和兒童造成危險性存在，因本村是單行線入車共行出入，因貴處前两次不重視本村反對批准本村路口做臨時倉房，時常大型車輛出入，阻塞道路令本村村民返工返學非常不便，希望貴處能重視本村訴求否決申請。

2026 年 6 月 22 号

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年07月02日星期四 15:53
收件者: tpbpd/PLAND
主旨: 關於萬屋邊丈量約份第38段第207號 - 擬議臨時貨倉
類別: Internet Email

A/NE-mup/235

你好！

擬議臨時貨倉的位置往沙頭角公路方向，現時已有三個倉庫在營運。經常性有大型貨車在早上及下午不同時段出入，並把倉庫內的車輛/貨車停泊於避車出的位置。特別在早上上班上學的繁忙時段，占據沙頭角公路進入萬屋邊村路口的其中一條行車綫，已經讓居民出入造成極大困擾。

加上“國榮機械”的倉地，在進行貨車保養維修時沒有妥善處理機油並清潔路面，經常有大量油污帶出馬路，嚴重影響環境衛生。

基於以上情況，本人強烈反對城規會再批出萬屋邊丈量約份第38段第207號農業用地改變臨時倉地的申請，因該路段為村民的“唯一出入口”，而整條萬屋邊村居民衆多，此刻已經不勝負荷。而該位置亦沒有任何避車處，貨車進出將必然進一步阻塞路面。

另請關注位於燈柱編號V1591的大型違規建築，沒有看到規劃署和屋宇署的進一步行動，只有地政署在該違規建築路邊加上“政府用地”告示牌。該建築物仍經常有人進出，敬請相關部門儘快發出清拆令。

以下鏈接為貨車進出路段阻塞道路視頻，敬請關注！

<https://drive.google.com/drive/folders/1Nt7yXxePdrayXQzyoQTddwyi3CZ6ltEB?usp=sharing>

此致

萬屋邊村居民 陳先生 [REDACTED]



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tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年07月02日星期四 23:25
收件者: tpbpd/PLAND
主旨: A/NE-MUP/235 DD 38 Sha Tau Kok
類別: Internet Email

Dear TPB Members,

230 withdrawn. Previous objections relevant and upheld.

Applicaition should be rejected. Illegal activies should not be reqarded.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Wednesday, 4 March 2026 4:35 AM HKT
Subject: A/NE-MUP/230 DD 38 Sha Tau Kok

A/NE-MUP/230

Lot 207 in D.D. 38, Sha Tau Kok

Site area: About 950sq.m

Zoning: "Agriculture"

Applied use: Warehouse / 2 Vehicle Parking / **Filling of Land**

Dear TPB Members,

Strong Objections. The previous history shows a rejection of brownfield use in 2012.

The location is some distance from the main road and is close to Green Belt. It is not designated Cat 2.

The current world situation indicates a further decline in trade and the urgent need for a degree of self-sufficiency in the provision of fresh produce. There is a surplus of commercial property in the territory that can be adapted for storage.

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Therefore, no justification to further expand the footprint of brownfield operations when for many years the Development Bureau has been pledging to upgrade the logistics sector with a view to amalgamating these services in dedicated compounds complete with high tech facilities.

Mary Mulvihill