RNTPC Paper No. A/NE-HLH/95
For Consideration by the
Rural and New Town Planning
Committee on 6.11.2026

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-HLH/95

Applicant : Chow Keung Transportation Company Limited

Site : Lot 396 in D.D. 87, Hung Lung Hang, New Territories

Site Area : About 1,886m^2

Lease : Block Government Lease (demised for agricultural use)

Plan : Approved Hung Lung Hang Outline Zoning Plan (OZP) No. S/NE-HLH/11

Zoning : "Agriculture" ("AGR")

Application : Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of Three Years

1. The Proposal

1.1 The applicant seeks planning permission for temporary warehouse (excluding dangerous goods godown) with ancillary facilities for a period of three years at the application site (the Site) (**Plan A-1**) 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 requires planning permission from the Town Planning Board (the Board). The Site is hard-paved[1], fenced-off, and currently used for the applied use under a valid planning permission (**Plans A-4a** to **A-4c**).

1.2 According to the applicant, the application is submitted to facilitate the relocation of an existing brownfield operation in Kwu Tung being affected by government project, i.e. the Kwu Tung North New Development Area (KTN NDA). The affected operation is for warehouse use as claimed by the applicant, which is the same as the applied use. The affected land in Kwu Tung had been resumed by the Government and was vacated in June 2026.

1.3 The Site is accessible from its northwest via a local track leading to Kong Nga Po Road (**Plan A-1**). According to the applicant, the applied use comprises seven temporary structures, including a single storey open-sided structure and six one- or two-storey structures, with building height (BH) of not more than 6.5m and a total floor area of about 763m^2 for warehouse, storage and office uses. Three parking spaces for private car (5m

[1] According to record, the Site zoned "AGR" has been hard-paved before the date of imposing a land filling clause pertaining to the zone under the draft Hung Lung Hang OZP No. S/NE-HLH/5 gazetted on 29.4.2005.

(L) x 2.5m (W) each) and four parking spaces for medium goods vehicle (MGV) (11m (L) x 3.2m (W) each) are proposed within the Site. Two 7.34m-wide ingress/egress points are proposed at the western boundary of the Site. The operation hours are between 8:00 a.m. to 7:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. According to the traffic management measures proposed by the applicant (**Appendix Ia)**, advance booking of parking spaces will be required and traffic notice has been provided near the Site to prevent illegal parking; and a separate pedestrian access will be provided to ensure pedestrian safety. The layout plan and drainage proposal submitted by the applicant are shown in **Drawings A-1** and **A-2** respectively.

1.4 The Site is the subject of four previous applications (No. A/NE-HLH/36, 58, 61 and 82) (**Plan A-1**) submitted by the same applicant for different/same uses (as detailed in paragraph 5.2 below). The last previous application (No. A/NE-HLH/82) for the same use as the current application was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 5.9.2025 with validity up to 5.9.2028. Compared with the last previous application, the current proposal mainly involves a reduction in number of structures, increase in total floor area, site coverage and BH, as well as revisions to the development layout. A comparison of the major development parameters of the current application and the last previous application is summarised as follows:

Major Development Parameters	**Approved Scheme under Application No. A/NE-HLH/82 (a)**	**Revised Scheme under Current Application (b)**	**Differences (b) – (a)**
Site Area (about)	1,886m^2	1,886m^2	No change
No. of Structures	10	7	-3 (-30%)
Total Floor Area (about)[2]	670m^2	763m^2	+93m^2 (+14%)
BH (about)	5.34m	6.5m	+1.16m (+22%)
No. of Storeys	1 to 2	1 to 2	No change
Site Coverage	23.7%	28.5%	+4.8%
No. of Parking Spaces			
• Private Car	3	3	No change
• MGV	4	4	No change

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

(a) Application Form with attachments received on 17.9.2026 (**Appendix I**)
(b) Further Information (FI) received on 30.10.2026* (**Appendix Ia**)
(c) FI received on 3.11.2026* (**Appendix Ib**)

** accepted and exempted from publication and recounting requirements*

[2] According to the Town Planning Board Guidelines No. 36C, this amendment (i.e. increase in gross floor area by more than 10% and not arising from amendment to site area related to Class B amendments under Category 1) does not fall within Class A nor Class B amendments, a fresh planning application under section 16 of the Town Planning Ordinance is required.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form and FIs at **Appendices I** to **Ib**, as summarised below:

(a) the application is submitted to facilitate the relocation of the applicant's existing business operation affected by KTN NDA. The affected land in Kwu Tung was vacated in June 2026; and

(b) the Site is the subject of a previous application (No. A/NE-HLH/82) by the same applicant, which was approved by the Committee in 2025. Due to the change in development parameters and layout to meet operational need, a fresh application is required.

3. Compliance with the "Owner's Consent/Notification" Requirements

The applicant is the sole "current land owner". Detailed information would be deposited at the meeting for Members' inspection.

4. Background

The Site is not subject to any planning enforcement action.

5. Previous Applications

5.1 The Site is the subject of four previous applications (No. A/NE-HLH/36, 58, 61 and 82) submitted by the same applicant for different/same uses. Amongst them, applications No. A/NE-FTA/36 and 58 for temporary logistics centre and private vehicle park (MGV only) were rejected by the Committee in 2019 and 2022 respectively. Application No. A/NE-HLH/61 for temporary open storage was approved with conditions by the Committee on 24.11.2023. Their considerations are not applicable to the current application which is for a different use.

5.2 The remaining application No. A/NE-HLH/82 for the same use as the current application was approved with conditions by the Committee on 5.9.2025 mainly on the considerations that it was for the reprovisioning of brownfield operation affected by the KTN NDA development and policy support from the Secretary for Development (SDEV) was given to the application; the proposed use was not entirely incompatible with the surrounding areas; there were no major adverse impacts or adverse departmental comments on the application; and the concerns of relevant government departments could be addressed through implementation of approval conditions. The planning permission remains valid until 5.9.2028. Compared with the last previous application (No. A/NE-HLH/82), the current application mainly involves revisions to the development layout as well as changes in development parameters, as detailed in paragraph 1.4 above.

5.3 Details of the previous applications are summarised at **Appendix II** and their locations are shown in **Plan A-1**.

6. Similar Applications

6.1 There are nine similar applications (No. A/NE-HLH/68, 71, 77, 79, 85, 89, 91, 92 and 93) involving eight sites for temporary warehouse use within/partly within the same "AGR" zone in the vicinity of the Site in the past five years (**Plan A-1**).

6.2 Amongst them, eight similar applications (No. A/NE-HLH/68, 71, 77, 79, 85, 89, 91 and 92) were approved with conditions between 2024 and 2026 mainly on the considerations that the proposed/applied use was not entirely incompatible with the surrounding areas; and the concerns of the relevant government departments could be addressed through implementation of approval conditions. Applications No. A/NE-HLH/77 and 91 were also approved on the ground that SDEV rendered policy support to the application for relocation of brownfield operation affected by government projects[3].

6.3 The remaining application (No. A/NE-HLH/93) was rejected by the Committee on 11.9.2026. As the site falls largely within an area zoned "Green Belt" ("GB") (about 86% of the site) and partly within the same "AGR" zone, its considerations are not applicable to the current application.

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-4c**)

7.1 The Site is:

(a) hard-paved, fenced-off, and currently used for the applied use under a valid planning permission; and

(b) accessible via a local track leading to Kong Nga Po Road.

7.2 The surrounding areas are rural in character mainly comprising open storage/storage yards, temporary structures, vacant land, tree clusters and woodland. A site covered by a valid planning permission (application No. A/NE-HLH/79) for temporary warehouse use is located to the immediate south of the Site. To the immediate east is a densely vegetated area, and to the west across a local track is a vegetated slope zoned "GB".

8. Planning Intention

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.

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[3] Both applications, involving open storage uses, fell within Category 3 areas under the Town Planning Board Guidelines No. 13G for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13G).

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 comment on the application. Their general comments on the application and advisory comments are provided 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 the relocation of brownfield operation which is affected by the remaining phase development of KTN NDA;

(b) it is noted that the current application is a subsequent case of application No. A/NE-HLH/82, submitted by the same applicant for the same site and use, with the same site area; and

(c) subject to no adverse comments on land use compatibility and technical aspects from concerned government departments, her policy support on the previous application No. A/NE-HLH/82 is still valid and is applicable to the current application.

9.3 The following government departments do not support or have adverse comments on the application:

Land Administration

9.3.1 Comments of the District Lands Officer/North (DLO/N), LandsD:

(a) he has adverse comment on 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. 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;

(c) the private lot is covered by Short Term Waiver (STW) No. 1675 for the purpose of open storage and ancillary uses and the total built-over area of the structures on the lot shall not exceed 156.4m^2 in one storey. The existing built-over area of the structures on the said private lot exceeds those permitted under the STW. The STW holder should immediately rectify the breaches and his officer reserves the rights to take necessary enforcement action against the breaches without further notice; and

(d) if the planning application is approved, the STW holder will need to apply to his office for modification of the STW conditions where appropriate. The application for modification of the STW conditions will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STW modification, 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 to be imposed by LandsD. Besides, given the applied use is temporary in nature, only erection of temporary structure(s) will be considered.

Agriculture

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

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

(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 and plant nurseries, etc.

9.4 The following government department provides views on the application:

Traffic

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

(a) she has no adverse comment on the application from traffic engineering perspective;

(b) taking into consideration the location of the Site 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**.

10. Public Comments Received During Statutory Publication Period

On 25.9.2026, the application was published for public inspection. During the statutory public inspection period, three public comments were received (**Appendix VI**). Two comments from the Ta Kwu Ling District Rural Committee and an individual object to the application mainly on the grounds that the applied use will induce adverse traffic and drainage impacts, and the applicant has failed to comply with the approval conditions under the previous applications. The remaining comment from a member of North District Council indicates no comment on the application.

11. Planning Considerations and Assessments

11.1 The application is for temporary warehouse (excluding dangerous goods godown) with ancillary facilities for a period of three years at the Site zoned "AGR" on the OZP (**Plan A-1**). The applied use is not in line with the planning intention of the "AGR" zone and DAFC does not support the application from agricultural perspective as the Site possesses

potential for agricultural rehabilitation. Nevertheless, the application is submitted to facilitate the relocation of brownfield operations affected by KTN NDA and SDEV supports the application from the policy perspective. Taking into account the planning assessments below and the policy support rendered by SDEV, there is no objection to the applied use on a temporary basis for a period of three years.

11.2 The Site, situated in an area of rural character intermixed with open storage/storage yards, temporary structures, vacant land, tree clusters and woodland, is hard-paved, fenced-off, and currently used for the applied use (**Plans A-2** to **A-4c**). The applied use is considered not entirely incompatible with the surrounding land uses. Noting that significant adverse impacts on the landscape character and existing landscape resources within the Site are not anticipated, the Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective. 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 decide to approve the application.

11.3 While C for T has no adverse 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 the location of the Site and requirement for vehicular access. Other concerned government departments consulted, including the Chief Engineer/Mainland North of Drainage Services Department, Director of Environmental Protection and Director of Fire Services, have no objection to or no adverse comment on the application. To address the technical requirements of concerned government departments, appropriate approval conditions are recommended in paragraph 12.2 below. Should the application be approved, the applicant will be advised to follow the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' to minimise the possible environmental nuisance on the surrounding areas. Regarding DLO/N, LandsD's concerns on the breaches of STW, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.

11.4 The Site is currently covered by a valid planning permission under application No. A/NE-HLH/82 submitted by the same applicant for the same use as detailed in paragraph 5.2 above. The current proposal mainly involves an increase in total floor area and revisions to the layout to better suit operational requirements. In addition, there are eight approved similar applications for temporary warehouse use within the same "AGR" zone (**Plan A-1**) between 2021 and 2026 as mentioned in paragraph 6.2 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.

11.5 Regarding the public comments mentioned in paragraph 10 above, the government bureau/departments' comments and the planning assessments above are relevant.

12. Planning Department's Views

12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments mentioned 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 6.11.2029. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval Conditions

(a) 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;

(b) in relation to (a) above, the implemented traffic management measures shall be maintained at all times during the planning approval period;

(c) the existing drainage facilities on the site shall be maintained properly and rectified if found inadequate/ineffective during operation at all times during the planning approval period;

(d) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 6.5.2027;

(e) in relation to (d) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 6.8.2027;

(f) if the above planning condition (a) 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;

(g) if any of the above planning condition (b) or (c) 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;

(h) if any of the above planning condition (d) or (e) 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

(i) upon expiry of the planning permission, the reinstatement of the Site, including removal of fill materials and hard paving and grassing 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 applied use 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

justification in the submission for a departure from such 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 with attachment received on 17.9.2026
Appendix Ia	FI received on 30.10.2026
Appendix Ib	FI received on 3.11.2026
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	Drainage Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to **A-4c**	Site Photos

PLANNING DEPARTMENT
NOVEMBER 2026