RNTPC Paper No. A/NE-MUP/236A
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-MUP/236

Applicant : 俊加有限公司 represented by 業和發展有限公司

Site : Lots 176 S.B RP (Part), 177 S.B RP (Part) and 178 S.B ss.1 (Part) in D.D. 38, Man Uk Pin

Site Area : About 875.36m^2

Lease : Block Government Lease (demised for agricultural use)

Plan : Approved Man Uk Pin Outline Zoning Plan (OZP) No. S/NE-MUP/11

Zoning : "Agriculture" ("AGR")

Application : Proposed Temporary Open Storage of Construction Materials and Associated Filling of Land for a Period of Three Years

1. The Proposal

1.1 The applicant seeks planning permission for proposed temporary open storage of construction materials and associated filling of land for a period of three years at the application site (the Site) falling within an area zoned "AGR" on the OZP (**Plan A-1**). 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 largely vacant.

1.2 The Site is accessible via a local access leading to Sha Tau Kok Road – Wo Hang (**Plan A-2**). A 6m-wide ingress/egress is proposed at the southern boundary of the Site. According to the applicant, the proposed use involves two areas (about 301.4m^2 or 34.4% of the Site) for open storage of construction materials, four private car parking spaces (2.5m(W) x 5m(L) each) and one loading/unloading (L/UL) bay for heavy goods vehicle (HGV) (3.5(W) x 11m(L)). No structure is proposed at the Site. No storage of dangerous goods and workshop activities will be allowed at the Site. The applicant also applies for filling of land at the entire Site with concrete of not more than 0.2m in depth for operational need. The operation hours are from 8:00 a.m. to 7:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. The layout plan and land filling plan submitted by the applicant are shown in **Drawings A-1** and **A-2** respectively.

1.3 The run-in/out of the Site will be provided with adequate sightlines, warning signs and road markings. A booking system will be implemented to limit the number of HGV entering the Site. Staff will be deployed to manage traffic and ensure pedestrian safety.

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

(a)	Application Form with attachments received on 6.7.2026	(**Appendix I**)
(b)	Supplementary Information (SI) received on 9.7.2026	(**Appendix Ia**)
(c)	Further Information (FI) received on 17.8.2026 and 19.8.2026*	(**Appendix Ib**)
(d)	FI received on 15.9.2026*	(**Appendix Ic**)
(e)	FI received on 13.10.2026*	(**Appendix Id**)

* *accepted and exempted from the publication and recounting requirements*

1.5 On 28.8.2026, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer making a decision on the application for two months as requested by the applicant.

2. Justifications from the Applicant

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

(a) due to a service agreement with CLP Power Hong Kong Limited for cable laying and emergency electricity maintenance works in various districts and new development areas in the New Territories, additional space for open storage of construction materials is required to meet the applicant's operational needs;

(b) the Site falls within the Category 2 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). Approval on a temporary basis could be given to the application;

(c) the applicant commits to comply with the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' ('COP') and implement the relevant mitigation measures listed in the 'Recommended Pollution Control Clauses for Construction Contracts' and all necessary environmental related control, protection and pollution prevention measures during filling of land and operation. The applicant will also reinstate the Site upon expiry of the planning permission; and

(d) the applicant will rectify the unauthorised structures and occupation of Government land (GL).

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

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

4. Town Planning Board Guidelines

The TPB PG-No. 13G promulgated by the Board on 14.4.2023 is relevant to the application. The Site falls within Category 2 areas under TPB PG-No. 13G. Relevant extracts of the Guidelines are attached at **Appendix II**.

5. Background

Storage items were found at the Site and a warning letter was issued to the responsible persons on 22.10.2026. If the requirements specified in the warning letter are not complied with, further enforcement or prosecution action under the Town Planning Ordinance will be considered.

6. Previous Application

The Site is not the subject of any previous application.

7. Similar Applications

7.1 There are six similar applications (No. A/NE-MUP/192, 207, 215, 216, 231 and 232) involving five sites for temporary open storage with or without associated filling of land within the "AGR" zone in the vicinity of the Site in the past five years. All of them were approved with conditions by the Committee between 2023 and 2026 mainly on the considerations that the application site fell within the Category 2 areas and the application generally complied with TPB PG-No. 13G in that there were no major adverse comments from relevant departments or their concerns could be addressed by relevant approval conditions; and policy support from the Secretary for Development was obtained as the proposed use was to facilitate the relocation of business operation affected by government project (only for application No. A/NE-MUP/207).

7.2 Details of the similar applications are summarised at **Appendix III** and their locations are shown on **Plan A-1**.

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

8.1 The Site is:

(a) largely vacant; and

(b) accessible via a local access leading to Sha Tau Kok Road – Wo Hang.

8.2 The surrounding areas are of rural character comprising mainly storage yards, workshops, parking of vehicles and residential dwellings (the nearest to the immediate northwest). Open storage yards covered by three approved applications (No. A/NE-MUP/207, 216 and 232) are located to the immediate east of the Site. The village cluster of Man Uk Pin within the "Village Type Development" zone is located to the further northwest of the Site (**Plan A-1**).

9. Planning Intention

9.1 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.

9.2 According to the Explanatory Statement of the OZP, as filling of land within the "AGR" zone may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities.

10. Comments from Relevant Government Departments

10.1 Apart from the government departments as set out in paragraphs 10.2 and 10.3 below, other government departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and the recommended advisory clauses are provided at **Appendices IV** and **V** respectively.

10.2 The following government departments object to or do not support the application:

Land Administration

10.2.1 Comments of the District Lands Officer/North, Lands Department (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. The proposed ingress/egress of the Site is required to pass through GL. No right of access via GL is granted to the Site;

(c) it is noted that no structure is proposed in the planning application, but there are existing structures erected on the portion of Lot 176 S.B RP not covered by the planning application;

(d) the following irregularity not covered by the planning application has been detected by his office:

unauthorised structures within Lot 176 S.B RP in D.D. 38 not covered by the planning application

there are unauthorised structures on Lot 176 S.B RP in D.D. 38 not covered by the planning application. The lot owner should immediately rectify the lease breaches and his office reserves the rights to take necessary lease enforcement action against the breaches without further notice;

unlawful occupation of GL not covered by the planning application

the GL adjoining Lots 176 S.B RP and 177 S.B RP in D.D. 38 has been fenced off without permission. The GL being illegally occupied is not included in the application. 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;

(e) subject to the approval of the Board to the planning application which shall have reflected the rectification as aforesaid required, the lot

owners shall apply to his office for Short Term Waiver (STW) to permit the existing structures not covered by the planning application. The application for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STW, if approved, will be on whole lot basis and subject to such terms and conditions including the payment of back-dated waiver fee and administrative fee as considered appropriate to be imposed by LandsD. In addition, LandsD reserves the right to take enforcement action against the lot owner/applicant 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. Besides, given the proposed use is temporary in nature, only erection of temporary structures will be considered;

(f) erection of unauthorised structures and illegal occupation of GL are now allowed. The lot owner/applicant should remove all the unauthorised structures and rectify the occupation of GL immediately as regularisation would not be considered according to the prevailing land policy;

(g) unless and until the unauthorised structures are duly rectified by the lot owner/applicant or entirely included in the planning application, his office objects to the application which must be brought to the attention of the Board when they consider the application; and

(h) his advisory comments are at **Appendix V**.

Agriculture and Nature Conservation

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

Agriculture

(a) the Site falls within the "AGR" zone, and is generally vacant with some sundries. The 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. As the Site possesses potential for agricultural rehabilitation, the proposed use is not supported from agricultural perspective; and

Nature Conservation

(b) he has no comment on the application from nature conservation perspective.

Environment

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

(a) he is unable to lend support to the application from environmental planning perspective since heavy vehicle is involved and residential dwelling is identified within 100m from the site boundary;

(b) he has no comment on the proposed filling of land from the environmental perspective subject to the implementation of relevant mitigation measures listed in the 'Recommended Pollution Control Clauses for Construction Contracts';

(c) no environmental complaint against the Site was received in the past three years; and

(d) his advisory comments are at **Appendix V**.

10.3 The following government department provides views on the application:

Traffic

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

(a) she has no comment on the application;

(b) taking into consideration the location of the Site, requirement for vehicular access, etc., approval conditions on the submission and implementation of traffic management measures before the commencement of any operation should be included. Also, the implemented traffic management measures should be maintained during the planning approval period; and

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

11. Public Comments Received During Statutory Publication Period

On 14.7.2026, the application was published for public inspection. During the statutory public inspection period, four comments were received (**Appendix VI**). Two comments from the Indigenous Inhabitant Representative of Man Uk Pin and an individual object to the application mainly on the grounds that the proposed use may induce adverse impacts on traffic and pedestrian safety; and the approval of the application would further introduce brownfield uses to Sha Tau Kok Road. The two remaining comments from a member of the North District Council and an individual indicate no comment on the application.

12. Planning Considerations and Assessments

12.1 The application is for proposed temporary open storage of construction materials and associated filling of land for a period of three years at the Site falling within an area zoned "AGR" on the OZP. The proposed use is not in line with the planning intention of the "AGR" zone and DAFC does not support the application from the agricultural perspective as the Site possesses potential for agricultural rehabilitation. 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.

12.2 The application involves proposed filling of land at the entire Site with concrete of not more than 0.2m in depth for operational need. Filling of land within "AGR" zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the adjacent areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department has no objection to the application from public drainage perspective, and DEP has no comment on the proposed filling of land from environmental perspective subject to implementation of relevant mitigation measures listed in the 'Recommended Pollution Control Clauses for Construction Contracts'. In this connection, the applicant advises that the relevant mitigation measures will be implemented. 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.

12.3 The Site is located in an area of rural character comprising mainly storage yards, workshops, parking of vehicles and residential dwellings. Open storage yards covered by three approved applications are located to the immediate east of the Site. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective, and considers that the proposed use is not incompatible with the surrounding environment and significant adverse landscape impact arising from the application is not anticipated.

12.4 The Site falls within the Category 2 areas under the TPB PG-No. 13G. The application generally complies with TPB PG-No. 13G in that relevant government departments consulted have no objection to or no adverse comment on the application. DEP is unable to lend support to the application as the proposed use involves the use of heavy vehicles and residential dwelling within 100m from the site boundary is identified. In this regard, the applicant commits to follow the 'COP' and implement all necessary environmental control, protection and pollution prevention measures. Should the application be approved, the applicant will be advised to follow the requirements as set out in the 'COP' to minimise any possible environmental nuisance. While C for T has no comment on the application, she recommends imposing approval conditions on the submission, implementation and maintenance of traffic management measures in consideration the location of the Site, requirement for vehicular access, etc. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 13.2 below. Regarding DLO/N, LandsD's concern on the unauthorised structures outside the Site and the illegal occupation of GL, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.

12.5 There are six approved similar applications for temporary open storage use with or without associated filling of land within the "AGR" zone in the vicinity of the Site in the past five years as mentioned in paragraph 7.1 above. The planning circumstances of the current application are similar to those of the approved similar applications. Approval of the current application is in line with Committee's previous decisions.

12.6 Regarding the public comments on the application as detailed in paragraph 11 above, the government departments' comments and planning assessments above are relevant.

13. Planning Department's Views

13.1 Based on the assessments made in paragraph 12 and having taken into account the public comments in paragraph 11 above, PlanD has no objection to the application.

13.2 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 of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 6.5.2027;

(b) in relation to (a) above, the implementation of the drainage proposal 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 6.8.2027;

(c) in relation to (b) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;

(d) the compliance with fire safety requirements 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;

(e) the submission of traffic management measures before the commencement of any operation to the satisfaction of the Commissioner for Transport or of the Town Planning Board;

(f) in relation to (e) above, the implementation of the traffic management measures before the commencement of any operation to the satisfaction of the Commissioner for Transport or of the Town Planning Board;

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

(h) the submission of the design of vehicular run-in/out to the Site within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the Town Planning Board by 6.5.2027;

(i) in relation to (h) above, the provision of vehicular run-in/out to the Site within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the Town Planning Board by 6.8.2027;

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

(k) if any of the above planning condition (e) or (f) 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;

(l) if any of the above planning condition (a), (b), (d), (h) or (i) 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

(m) upon 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**.

13.3 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.

14. Decision Sought

14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant the permission.

14.2 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.

14.3 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.

15. Attachments

Appendix I	Application Form with Attachments received on 6.7.2026
Appendix Ia	SI received on 9.7.2026
Appendix Ib	FI received on 17.8.2026 and 19.8.2026
Appendix Ic	FI received on 15.9.2026
Appendix Id	FI received on 13.10.2026
Appendix II	Relevant Extracts of TPB PG-No. 13G
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
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

PLANNING DEPARTMENT
NOVEMBER 2026