RNTPC Paper No. A/NE-TKL/856
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-TKL/856

Applicant	:	Shui Wing Properties Limited represented by R-riches Planning Limited
Site	:	Lot 1095 (Part) in D.D. 82, Ping Che
Site Area	:	About 1,366m^2
Lease	:	Block Government Lease (demised for agricultural use)
Plan	:	Approved Ping Che and Ta Kwu Ling Outline Zoning Plan (OZP) No. S/NE-TKL/14
Zoning	:	(i) "Agriculture" ("AGR") (about 1,325m^2 or 97% of the Site) (ii) Area shown as 'Road' (about 41m^2 or 3% of the Site)
Application	:	Proposed Temporary Private Vehicle Park (Heavy Goods Vehicles (HGVs)) and Open Storage of Construction Materials and Machinery 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 private vehicle park (HGVs) and open storage of construction materials and machinery with ancillary facilities and associated filling of land for a period of three years at the application site (the Site). The Site falls largely within an area zoned "AGR" with a minor portion shown as 'Road' 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 "AGR" zone, and all uses or developments within area shown as 'Road' require planning permission from the Town Planning Board (the Board). The Site is currently vacant and fenced-off with some trees (**Plan A-4**).

1.2 The Site is accessible from Ping Che Road (**Plan A-2**). According to the applicant, about 210m^2 or 15% of the Site will be used for open storage of construction materials and machineries, with a maximum stacking height of not more than 3m. The remaining area of the Site will be primarily reserved for seven parking spaces (including six for HGVs, and one for private cars designated for staff member only), one loading/unloading (L/UL) bay for HGVs and circulation space. One single-storey temporary structure (building height of about 3m) with a total floor area of about 18m^2 for ancillary site office and

guardhouse will be erected within the Site. A 7m-wide ingress/egress for vehicles is proposed at the eastern boundary of the Site. The applicant also applies for filling of land for the entire Site with concrete of not more than 1.2m in depth, raising the site level up to about +9.0mPD to provide a flat surface for the open storage area, parking and L/UL spaces and circulation space (**Drawing A-2**). The applicant proposes traffic management measures including prior arrangement for all vehicles visiting the Site, deploying on-site staff to manage traffic flow within and near the access of the Site, erecting signs for pedestrian safety, and prohibiting vehicles other than private cars from turning left from the Site onto Ping Che Road. The operation hours are between 9:00 a.m. and 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 at **Drawings A-1** and **A-2** respectively.

1.3 The Site is the subject of a previous application No. A/NE-TKL/152 for temporary open storage of construction materials for a period of three years submitted by a different applicant, which was rejected by the Rural and New Town Planning Committee (the Committee) of the Board on 24.11.2000. Details of the previous application are set out in paragraph 6.1 below.

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

(a) Application Form with attachments received on 7.9.2026 (**Appendix I**)
(b) Supplementary Information (SI) received on 11.9.2026 (**Appendix Ia**)
(c) Further Information (FI) received on 2.11.2026* (**Appendix Ib**)

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

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 FI at **Appendices I** to **Ib**, as summarised below:

(a) a majority of the Site (i.e. the "AGR" portion) falls within Category 2 areas under the Town Planning Board Guidelines for Application for Open Storage and Port Backup Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13G). The proposed uses are considered not incompatible with the surrounding land uses which are predominately open storage yards;

(b) the proposed uses on a temporary basis will not jeopardise the long-term planning intention of the "AGR" zone and will better utilise land resources;

(c) adverse traffic and environmental impacts are not anticipated. The applicant will strictly follow the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' ('COP') and comply with all environmental protection/pollution control ordinances during construction and operation stages. The applicant will reinstate the Site to an amenity area upon the expiry of the planning approval period; and

(d) no storage of dangerous goods will be allowed at the Site.

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 Member's inspection.

4. Town Planning Board Guidelines

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

5. Background

The Site is currently not subject to any active planning enforcement action.

6. Previous Application

6.1 The Site is the subject of a previous application No. A/NE-TKL/152 for temporary open storage of construction materials for a period of three years submitted by a different applicant, which was rejected by the Committee on 24.11.2000 mainly on the considerations that there was no strong justification for a departure from the planning intention of the "AGR" zone even on a temporary basis; the proposed use was not compatible with the surrounding areas which were predominately agricultural and rural in character; and the approval of the application would set an undesirable precedent for similar applications. The Site and its adjoining areas were classified to Category 2 under the then TPB PG-No. 13C in 2004 and have remained so since then.

6.2 Details of the previous application are summarised at **Appendix III** and its location is shown on **Plan A-1**.

7. Similar Applications

7.1 There are 30 similar applications (No. A/NE-TKL/690, 695, 707, 712, 714, 724, 734, 743, 745, 746, 755, 758, 761, 762, 763, 784, 786, 805, 806, 807, 815, 821, 823, 831, 833, 836, 838, 840, 842 and 846) involving 20 sites for temporary open storage and/or vehicle park uses for a period of three years within the "AGR" zone in the vicinity of the Site in the past five years (**Plan A-1**). 29 of these applications falling within the Category 2 or 3 areas under TPB PG-No. 13F/G were approved with conditions by the Committee between 2022 and 2026 mainly on the considerations that the proposed use on a temporary basis could be tolerated; the proposed use was considered not incompatible with the surrounding areas; the application generally complied with the TPB PG-No. 13F/G (for those involving open storage use only); no major adverse departmental comments or concerns of the relevant government departments could be addressed through imposition of approval conditions; and policy support from the Secretary for Development was given to facilitate the relocation of the applicant's business operation affected by

government project (for applications No. A/NE-TKL/721, 779 and 846 only).

7.2 The remaining application No. A/NE-TKL/690 for temporary open storage use which fell within the Category 3 areas under the then TPB PG-No. 13F was rejected by the Committee on 14.1.2022 mainly on the grounds that there was no strong planning justification for a departure from the planning intention of the "AGR" zone; and the applicant failed to demonstrate that the proposed use would not cause adverse traffic impact on the surrounding areas. The site was subsequently reclassified as Category 2 areas and covered by one of the approved similar applications (No. A/NE-TKL/743) for temporary open storage use as mentioned in paragraph 7.1 above.

7.3 Details of the similar applications are summarised at **Appendix IV** 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) currently vacant and fenced-off with some trees; and

(b) accessible from Ping Che Road.

8.2 The surrounding areas are of rural character comprising mainly storage use/open storage yards, workshops, parking of vehicles, and vacant land. To the west of the Site is Ping Yuen River.

9. Planning Intentions

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.

9.3 Part of the Site falls within an area shown as 'Road' on the OZP which forms part of the area reserved for future road use.

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 departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in the recommended advisory clauses are provided in **Appendices V** and **VI** respectively.

10.2 The following government department does not support the application:

Agriculture and Nature Conservation

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

Agriculture

(a) the application is not supported from agricultural perspective;

(b) the Site falls within the "AGR" zone and an area shown as 'Road' and is generally vacant. Agricultural infrastructures such as road access and water source are available in the area. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc. The Site possesses potential for agricultural rehabilitation;

Nature Conservation

(c) he has no comment on the application from nature conservation perspective; and

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

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) after taking into consideration the road safety and road management, it is suggested to impose the approval conditions on the submission and implementation of traffic management measures before the commencement of any operation. Also, the implemented traffic management measures should be maintained during the planning approval period; and

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

11. Public Comments Received During Statutory Publication Period

On 15.9.2026, the application was published for public inspection. During the statutory public inspection period, four public comments were received (**Appendix VII**). Two comments from individuals object to the application mainly on the grounds that adverse impacts on traffic, pedestrian safety, noise and environment are anticipated; the Site is not the subject of any previously approved application; and the Site should be reserved for relocation of the brownfield business operation affected by government projects. One comment from an individual supports the application as the proposed uses can utilise the land resources in facilitating the construction works and development of Hong Kong.

The remaining comment from a member of the North District Council indicates no comment on the application.

12. Planning Considerations and Assessments

12.1 The application is for proposed temporary private vehicle park (HGVs) and open storage of construction materials and machinery with ancillary facilities and associated filling of land for a period of three years at the Site falling within an area largely zoned "AGR" (about 97%) with a minor portion shown as 'Road' (about 3%) on the OZP (**Plan A-1**). The proposed uses are 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. Nevertheless, taking into account the planning assessments below, there is no objection to the proposed uses with associated filling of land on a temporary basis of three years.

12.2 The application involves filling of land at the entire Site with concrete of not more than 1.2m in depth to provide a flat surface for the open storage area, parking and L/UL spaces and circulation space. Filling of land within the "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 the Director of Environmental Protection has no comment on the application 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 all relevant environmental protection/ pollution control ordinances will be complied with during the construction and operation stages. As majority of the Site is zoned "AGR", an approval condition requiring the reinstatement of the "AGR" portion 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 use/open storage yards, workshops, parking of vehicles, and vacant land. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective, and advises that the proposed uses are considered not incompatible with the surrounding environment.

12.4 Majority of the Site (i.e. the "AGR" portion) falls within the Category 2 areas under the TPB PG-No. 13G. The application involving open storage use generally complies with TPB PG-No. 13G in that relevant departments consulted have no objection to or no adverse comment on the application. While C for T has no comment on the application, she recommends imposing approval conditions on the implementation and maintenance of traffic management measures, taking into consideration the road safety and road management. To address the technical requirements of the concerned departments, relevant approval conditions are recommended in paragraph 13.2 below. Should the application be approved, the applicant will be advised to follow the requirements

of the 'COP' to minimise any possible environmental nuisance and to implement relevant mitigation measures listed in the Recommended Pollution Control Clauses for Construction Contracts.

12.5 The Site is the subject of a previous application No. A/NE-TKL/152 submitted by a different applicant for temporary open storage use, which was rejected by the Committee in 2000 mainly on the grounds as detailed in paragraph 6.1 above. The Site and its adjoining areas were subsequently classified as Category 2 areas under the then TPB PG-No. 13C in 2004 and have remained so since then, and the current application generally complies with the TPB PG-No. 13G as detailed in paragraph 12.4 above. The planning considerations of the current application are different from those of the rejected previous application.

12.6 There are 29 approved similar applications for temporary open storage and/or vehicle park uses 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 the Committee's previous decisions.

12.7 Regarding the public comments as detailed in paragraph 11, 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 approval conditions 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, 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;

(f) in relation to (e) above, the 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;

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

(h) if any of the above planning conditions (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;

(i) 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;

(j) if any of the above planning condition (a), (b) or (d) 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

(k) upon expiry of the planning permission, the reinstatement of the "AGR" portion of the Site, including the removal of hard paving and fill materials and grassing of the "AGR" portion of the Site to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory Clauses

The recommended advisory clauses are attached at **Appendix VI**.

13.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the proposed uses with associated filling of land are 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 7.9.2026
Appendix Ia	SI received on 11.9.2026
Appendix Ib	FI received on 2.11.2026
Appendix II	Relevant Extracts of TPB PG-No. 13G
Appendix III	Previous Application
Appendix IV	Similar Applications
Appendix V	Government Departments' General Comments
Appendix VI	Recommended Advisory Clauses
Appendix VII	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