RNTPC Paper No. A/YL-NSW/380
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/YL-NSW/380

Applicant	:	Sunny International Investment Limited [1] represented by Tai Wah Development Consultants Limited
Site	:	Lots 3722 S.C ss.4 (Part), 3722 S.C ss.5 RP (Part), 3722 S.C RP (Part), 3722 S.E (Part), 3722 S.F (Part), 3722 S.G RP (Part), 3722 S.H RP and 3722 RP (Part) in D.D. 104, Nam Sang Wai, Yuen Long
Site Area	:	About 11,675m^2
Lease	:	Block Government Lease (demised for agricultural use)
Plan	:	Approved Nam Sang Wai Outline Zoning Plan (OZP) No. S/YL-NSW/12
Zoning	:	"Other Specified Uses" annotated "Comprehensive Development to include Wetland Restoration Area (1)" ("OU(CDWRA)(1)") *[restricted to a maximum plot ratio (PR) of 1.55 and a maximum building height (BH) of 54mPD]*
Application	:	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities and Associated Filling of Land and Pond 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 and associated filling of land and pond for a period of three years at the application site (the Site), which falls within an area zoned "OU(CDWRA)(1)" on the OZP (**Plan A-1a**). According to the covering 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). Filling of land/pond within "OU(CDWRA)(1)" zone also requires planning permission from the Board. The Site is currently vacant and mainly covered by soil and vegetation (**Plans A-2 to A-4**).

1.2 According to the applicant, the application is submitted to facilitate the relocation of a business operation (i.e. Ytad Warehousing Logistics Co. Limited) at a site (with an area of about 13,651m^2) in Ngau Tam Mei (NTM) which has been resumed to facilitate

[1] The applicant claimed to be authorised by an affected brownfield operator (i.e. Ytad Warehousing Logistics Co. Limited) of MTR Northern Link Main Line to facilitate relocation of the affected premises.

the implementation of the proposed NTM Station of the MTR Northern Link (NOL) Main Line[2].

1.3 The Site is accessible via a local track from Kam Pok Road leading to Kam Pok Road East (**Plan A-1a**). The proposed use, with a total floor area of about 14,702m^2, involves one two-storey structure with height of not more than 15m for a warehouse for storage of items such as packaged food and beverage, apparel, footwear and electronic goods etc., covered parking and loading/unloading (L/UL) spaces (including six private car parking spaces, three light goods vehicle L/UL spaces and four container vehicle L/UL spaces), site office and washroom, and one single-storey structure with height of not more than 3.5m for meter room and guard room (**Drawing A-1**). A strip of landscaping area (with an area of about 574m^2) with 11 new trees (not less than 2.75m in height) is proposed along the southern boundary of the Site to mitigate potential visual impact on the adjacent residential settlements and an existing residential care home for persons with disability (RCHD) named Pui Hong Rehabilitation Centre (PHRC) to the south of the Site (**Drawing A-1 and Plan A-2**). Solid metal fencing of about 2.5m high will also be erected along the Site boundary to minimise potential nuisance to the surrounding areas. The proposed warehouse will also be enclosed with concrete and steel panels and all items will be stored within the enclosed structure. No storage of dangerous goods, open storage, dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities will be carried out at the Site. Sufficient manoeuvring space will be provided within the Site to ensure that no vehicles will be allowed to queue back to or reverse onto/from the Site to the public road. The proposed operation hours are between 8:00 a.m. and 7:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays.

1.4 The applicant also applies for regularisation of filling of pond of about 2,212m^2 (18.0% of the area of the Site) with soil in depth of about 0.5m and proposed filling of land for 11,101m^2 (about 95% of the Site) (including the filled pond area) with concrete in a depth of not more than 0.5m (up to a level of about +4.6mPD) (**Drawing A-2**) for site formation of structures, vehicular circulation, parking and L/UL spaces (**Drawing A-1**). The proposed site layout plan and land/pond filling plan submitted by the applicant are at **Drawings A-1 and A-2** respectively.

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

(a) Application Form with supporting planning statement (SPS) received on 17.9.2026 **(Appendix I)**

(b) Further Information (FI) received on 27.10.2026[#] **(Appendix Ia)**

(c) FI received on 30.10.2026[#] **(Appendix Ib)**

[#] *accepted and exempted from 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, SPS and FIs at **Appendices I to Ib**. They can be summarised as follows:

(a) The applicant has conducted thorough site search for relocation of the operation affected by NOL Main Line project, but other sites identified were considered not

[2] According to the applicant, the site of affected operation in NTM was resumed in July 2025.

suitable due to constraints such as land use incompatibility, environmental concerns, site areas and configurations, land ownership and accessibility issues. The Site is considered suitable with its flat topography and high accessibility.

(b) The proposed use is the same as the affected business in NTM. The site area (about 11,675m^2) and proposed floor area (about 14,702m^2) under the application are relatively smaller as compared to the NTM site with site area and floor area of about 13,651m^2 and 15,412m^2 respectively. In view of inadequate circulation space and thus prolonged waiting time for L/UL activities at the affected business in the NTM site, the applicant proposes to reserve a significant portion of the Site (about 37%) as uncovered vehicle manoeuvring spaces and landscaping area.

(c) The proposed use is temporary in nature and approval of the current application will not frustrate the long-term planning of the "OU(CDWRA)(1)" zone while facilitating better utilisation of valuable land resources. The proposed filling of land and applied filling of pond are necessary for site formation to meet the operational needs of the proposed use. The applicant will reinstate the Site to an amenity area upon expiry of the planning approval.

(d) The surrounding areas are mainly used for brownfield operations such as warehouse, logistics centre and open storage yards, etc. The proposed use is considered not incompatible with the surrounding areas.

(e) The proposed use would not induce adverse environmental, traffic, fire safety, drainage and landscape impacts on the surrounding areas. The applicant will comply with relevant environmental protection/pollution control ordinances and follow the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' ('CoP') and the Professional Persons Environmental Consultative Committee Practice Notes No. 1/23 and 2/24 to minimise the nuisance/ impacts on the surroundings and nearby watercourse.

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

The applicant is not a 'current land owner' of the Site 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 publishing newspaper notice and sending notice to the San Tin Rural Committee. Detailed information would be deposited at the meeting for Members' inspection.

4. Town Planning Board Guidelines

Town Planning Board Guidelines for "Application for Developments within Deep Bay Area" (TPB PG-No. 12C) is relevant to this application. The Site falls within the Wetland Buffer Area (WBA) of the TPB PG-No. 12C and relevant extract of the Guidelines is attached at **Appendix II**.

5. Background

5.1 The Site was previously zoned "Recreation" on the Nam Sang Wai OZP No. S/YL-NSW/1 gazetted on 6.3.1994 and subsequently rezoned to "OU(CDWRA)" on the Nam Sang Wai OZP No. S/YL-NSW/2 on 18.5.2001. The Site was rezoned to "OU(CDWRA)(1)" on the draft Nam Sang Wai OZP No. S/YL-NSW/9 in 2024 to

take forward the agreed section 12A (s.12A) application No. Y/YL-NSW/7 for proposed comprehensive residential development with Government, Institution and Community (GIC)[3] and retail facilities as well as a wetland restoration area (WRA) (the proposed comprehensive residential development with WRA) (**Plan A-1b**). According to the Notes of the OZP, section 16 (s.16) application with a comprehensive development scheme including wetland restoration proposal is required to effectuate the proposed comprehensive residential development with WRA under the agreed Y/YL-NSW/7. No subsequent s.16 application or pre-submission enquiry regarding the proposed comprehensive residential development with WRA at the Site has been received by the Secretariat of the Board or Planning Department (PlanD) so far.

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

6. Previous Applications

The Site was involved in 11 previous applications (s.12A application No. Y/YL-NSW/7, and s.16 applications No. A/DPA/YL-NSW/24 and 26, A/YL-NSW/6, 52, 89, 96, 133, 149, 156 and 159) submitted by different applicants for various uses including comprehensive development including residential and recreational facilities, container trailer and tractor park, recreational development, pond filling for plant nursery and open storage uses (**Plan A-1b**). Except Y/YL-NSW/7 which was agreed by the Rural and New Town Planning Committee (the Committee) of the Board on 10.11.2023, all remaining s.16 applications were rejected by the Committee or the Board upon review, or dismissed by the Town Planning Appeal Board between 1994 and 2005, and considerations of which are irrelevant to the current application due to different uses involved. Details of the previous applications are summarised at **Appendix III** and their locations are shown on **Plan A-1b**.

7. Similar Applications

There is no similar application within the same "OU(CDWRA)(1)" zone. However, there are nine similar applications (No. A/YL-NSW/334, 337, 341 to 346 and 367) covering eight sites for proposed temporary warehouse (excluding dangerous goods godown) with ancillary facilities and associated filling of land/pond for a period of three years use within other "OU(CDWRA)" zones on the same OZP in the vicinity of the Site in the past five years. All nine applications were approved with conditions by the Committee between 2025 and 2026 each for a period of three years, mainly on considerations that the temporary approval would not frustrate the long-term planning intention; the proposed use was not entirely incompatible with the surrounding uses and would unlikely result in significant adverse environmental nuisance/impacts on the surrounding areas; government departments consulted in general had no adverse comment or their concerns could be addressed by relevant approval conditions; and relevant policy bureau gave policy support to the application to facilitate relocation of business operation affected by government projects. Details of the similar applications are summarised in **Appendix III** and their locations are shown on **Plan A-1a**.

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

8.1 The Site is:

(a) accessible via a local track from Kam Pok Road leading to Kam Pok Road East;

[3] According to the indicative development scheme under s.12A application No. Y/YL-NSW/7, proposed GIC facilities include a child care centre and a kindergarten.

(b) currently vacant and covered by soil and vegetation; and

(c) located within the WBA of Deep Bay Area (**Plan A-1a**).

8.2 The surrounding areas comprise an intermix of village settlements of Pok Wai and Wing Kei Tsuen, a RCHD named PHRC, the Pok Wai Floodwater Pumping Station, warehouses (including one with valid planning permission), open storage yards, parking of vehicles, vehicle repair workshop, shop and services (with valid planning permission), a clansmen association building, a gardening site, ponds, grassland and vacant land. The Site is bounded by Pok Wai Road and Pok Wai West Road across a nullah to its east and north (**Plans A-2 and A-3**).

9. Planning Intention

9.1 The planning intention of the "OU(CDWRA)(1)" zone is to provide incentive for the restoration of degraded wetlands adjoining existing fish ponds through comprehensive residential and/or recreational development to include wetland restoration area. It is also intended to phase out existing sporadic open storage and port back-up uses on degraded wetlands. Any new building should be located farthest away from Deep Bay.

9.2 According to the Explanatory Statement of the OZP, filling of land/pond may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within the "OU(CDWRA)(1)" zone, permission from the Board is required for such activities.

10. Comments from Relevant Government Bureaux and Departments

10.1 Apart from the government bureau and departments (B/Ds) as set out in paragraphs 10.2 and 10.3 below, other B/Ds 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, if any, are provided in **Appendices IV and V** respectively.

10.2 The following government bureau supports the application:

Policy Aspect

Comments of the Secretary for Development (SDEV):

(a) supports the application from policy perspective subject to no adverse comments on land use compatibility and technical aspects from relevant departments; and

(b) the application is to facilitate the relocation of a brownfield operation previously located in NTM, which is affected by the NOL Main Line project and falls within the NTM New Development Area (NDA). According to the applicant, a site search was conducted with a view to identifying suitable site for re-establishment of the affected business operation, and that the Site is considered the most suitable for relocation.

10.3 The following government departments have specific comments on the application:

Agriculture, Fisheries and Nature Conservation

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

(a) the Northern Metropolis Development Strategy, which contained the proposal to establish a Wetland Conservation Parks System (WCPs System), was promulgated in 2021;

(b) the Site is located at the eastern fringe of the proposed Nam Sang Wai Wetland Conservation Park (NSW WCP) as recommended in the Study Report of the Agriculture, Fisheries and Conservation Department's (AFCD's) Strategy Feasibility Study on the Development of the WCPs System released in October 2024. There is currently no concrete timeline for the development of the proposed NSW WCP at this juncture;

(c) DAFC has no comment on the application for temporary use from the nature conservation and proposed NSW WCP perspectives. It is noted that the proposed use of the Site under the current application is a temporary use for a period of three years, and that the Site was also covered by a s.12A rezoning application No. Y/NSW7 for proposed comprehensive residential development with WRA which was agreed by the Committee in 2023, and a S.16 application with detailed development scheme and supporting technical assessments would be required for the proposed comprehensive residential development with WRA. DAFC would take into account the latest planning circumstances of the Site and development timeline of the proposed NSW WCP, compatibility and synergy between the long-term wetland conservation work at the WRA of the proposed comprehensive residential development and at the proposed NSW WCP, and further examine and suitably adjust the boundary of the proposed NSW WCP at a later stage; and

(d) has no comments on the application from fisheries perspective.

Urban Design and Landscape

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

(a) no in-principle objection to the application from landscape planning perspective;

(b) based on the aerial photos of 2024 and 2025, the Site was situated in an area of rural coastal plain landscape character comprising village houses to the east, ponds to the west and north, temporary structures, open storages, and scattered tree groups;

(c) with reference to the site photos (**Plan A-4**) and site inspection, the Site was largely grassed and no trees were observed on it though some tree debris was found on it;

(d) according to the layout plan (**Drawing A-1)** and FI (**Appendix Ia**), a landscaping area with 11 native trees of a single species (i.e. *Bauhinia x*

blakeana) will be planted along the southern boundary of the Site to serve as a landscape buffer;

(e) to mitigate the possible adverse landscape impacts to the nearby environment, buffer tree planting should be provided along the Site periphery as far as practicable. Approval conditions on the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or the Board are recommended to be included in the planning permission should the application be approved; and

(f) advisory comments are in **Appendix V**.

11. Public Comment Received During Statutory Publication Period

On 22.9.2026, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual objecting to the application mainly on the grounds that brownfield relocation would be on permanent basis and it shows the intention to enlarge the footprint of the brownfield operation via a further application in the vicinity once the current application is approved (**Appendix VI**).

12. Planning Considerations and Assessments

12.1 The application is for proposed temporary warehouse (excluding dangerous goods godown) with ancillary facilities and associated filling of land and pond for a period of three years at the Site zoned "OU(CDWRA)(1)" (**Plan A-1a**). While the proposed use is not in line with the planning intention of the "OU(CDWRA)(1)" zone, according to the applicant, the application is to facilitate the relocation of the business operation in NTM affected by the implementation of NOL Main Line project. In this regard, SDEV supports the application having considered the current application is to facilitate the relocation of a brownfield operation affected by the NOL Main Line project falling within the NTM NDA. As mentioned in paragraph 5.1 above, the Site is covered by an agreed s.12A application No. Y/YL-NSW/7 for the proposed comprehensive residential development with WRA pending for implementation [4], the current application is an interim use which could utilise the land resources to facilitate the relocation of the business operation affected by NOL Main Line project. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the "OU(CDWRA)(1)" zone. Taking into account the above and the planning assessments below, there is no objection to the proposed use on temporary basis of three years with associated filling of land and pond.

12.2 Filling of land and pond within the "OU(CDWRA)(1)" zone require planning permission from the Board as they may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. In this regard, DAFC and the Chief Engineer/Mainland North of Drainage Services Department have no adverse comments on the application from nature conservation and drainage perspectives. Director of Environmental Protection (DEP) also has no adverse comment on the proposed filling of land and pond from environmental perspective. As the Site is zoned "OU(CDWRA)(1)", an approval condition requiring the reinstatement of the Site upon expiry of the planning permission so as to uphold the planning intention of the

[4] S.16 application with a comprehensive development scheme including WRA is required to effectuate the proposed development under the agreed Y/YL-NSW/7.

"OU(CDWRA)(1)" zone and to restore greenery of the area is recommended should the Committee decide to approve the application.

12.3 The Site is located within the "OU(CDWRA)(1)" zone and bounded by Pok Wai Road and Pok Wai West Road across the nullah to its east and north (**Plan A-1a**). The surrounding areas comprise an intermix of the village settlements of Pok Wai and Wing Kei Tsuen, a RCHD named PHRC, the Pok Wai Floodwater Pumping Station, warehouses (including one with valid planning permission), open storage yards, parking of vehicles, vehicle repair workshop, shop and services (with valid planning permission), a clansmen association building, a gardening site, ponds, grassland and vacant land (**Plan A-2**). The proposed use is considered not entirely incompatible with the surrounding areas. Besides, according to the applicant, appropriate measures including a landscaping area (with an area of about 574m^2) with 11 new trees (not less than 2.75m in height) along the southern site boundary, a solid metal fencing of 2.5m high along the Site boundary and the proposed warehouse to be enclosed with concrete and steel panels, to mitigate potential visual impact on and minimise potential nuisance to the surrounding areas will be adopted (**Drawing A-1**). The CTP/UD&L of PlanD has no in-principle objection to the application from landscape planning perspective and considers that buffer tree planting should be provided along the periphery of the Site as far as practicable to mitigate the possible adverse landscape impacts to the nearby environment. In this regard, approval conditions requiring the submission and implementation of landscape proposal are recommended in paragraph 13.2 below.

12.4 While the Site falls within the WBA of the TPB PG-No. 12C, planning applications for temporary uses are exempted from the requirement of ecological impact assessment. Despite that the Site is located at the eastern fringe of the proposed NSW WCP, DAFC has no comment on the application for temporary use of the Site from the perspectives of nature conservation, proposed NSW WCP and fisheries, and would take into account the latest planning circumstances of the Site and development timeline of the proposed NSW WCP, compatibility and synergy between the long-term wetland conservation work at the WRA of the proposed comprehensive residential development and at the proposed NSW WCP, and further examine and suitably adjust the boundary of the proposed NSW WCP at a later stage.

12.5 DEP has no objection to the application having considered the measures proposed by the applicant, including the limitation on operation hours, provision of 2.5m high solid boundary fencing along the Site boundary and the warehouse to be enclosed with concrete and steel panels. Should the planning application be approved, the applicant will be advised to follow the 'CoP' to minimise any potential environmental nuisance caused by the proposed use on the surrounding areas. Other relevant B/Ds consulted including the Commissioner for Transport and Director of Fire Services have no objection to or no adverse comment on the application. To address the technical requirements of concerned B/Ds, appropriate approval conditions are recommended in paragraph 13.2 below.

12.6 There are nine approved similar applications within the "OU(CDWRA)" zones on the OZP in the past five years as mentioned in paragraph 7 above. Approving the current application is in line with the previous decisions of the Committee.

12.7 Regarding the opposing public comment as detailed in paragraph 11, the departmental comments and planning assessments above are also relevant.

13. Planning Department's Views

13.1 Based on the assessments made in paragraph 12 and having taken into account the public comment mentioned in paragraph 11 above, PlanD has no objection to the planning 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 also suggested for Members' reference:

Approval conditions

(a) the submission of a drainage impact assessment before the commencement of any construction works or operation, including site formation works/land filling works, to the satisfaction of the Director of Drainage Services or of the Town Planning Board;

(b) in relation to (a) above, the provision of drainage facilities identified in the drainage impact assessment before the commencement of any operation to the satisfaction of the Director of Drainage Services or of the Town Planning Board;

(c) in relation to (b) above, the implemented drainage facilities shall be maintained 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) the submission of a landscape proposal within **6** months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by 6.5.2027;

(g) in relation to (f) above, the implementation of the landscape proposal within **9** months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by 6.8.2027;

(h) if the above planning condition (a) is not complied with before the commencement of any construction works or operation, including site formation works/land filling works, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;

(i) if the above planning condition (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;

(j) if the above planning condition (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;

(k) if any of the above planning condition (d), (e), (f) or (g) 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

(l) upon expiry of the planning permission, the reinstatement of the site, including the removal of hard paving and fill materials 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 and pond is not in line with the planning intention of the "Other Specified Uses" annotated "Comprehensive Development to include Wetland Restoration Area (1)" zone which is to provide incentive for the restoration of degraded wetlands adjoining existing fish ponds through comprehensive residential and/or recreational development to include wetland restoration area, and to phase out existing sporadic open storage and port back-up uses on degraded wetlands. There is no strong 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 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 SPS received on 17.9.2026
Appendix Ia	FI received on 27.10.2026
Appendix Ib	FI received on 30.10.2026
Appendix II	Relevant Extracts of TPB PG-No. 12C
Appendix III	Previous and Similar Applications
Appendix IV	Government B/Ds' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comment
Drawing A-1	Proposed Site Layout Plan
Drawing A-2	Land/Pond Filling Plan

Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Application Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

PLANNING DEPARTMENT
NOVEMBER 2026