Relevant Extracts of Town Planning Board Guidelines on
Application for Open Storage and Port Back-up Uses
(TPB PG-No. 13G)

1. On 14.4.2023, the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13G) were promulgated, which set out the following criteria for the various categories of area:

   (a) Category 1 areas: Favourable consideration will normally be given to applications within these areas, subject to no major adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions. Technical assessments should be submitted if the proposed uses may cause significant environmental and traffic concerns;

   (b) Category 2 areas: Planning permission could be granted on a temporary basis up to a maximum period of 3 years, subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions. Technical assessments, where appropriate, should be submitted to demonstrate that the proposed uses would not have adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas;

   (c) Category 3 areas: Applications would normally not be favourably considered unless the applications are on sites with previous planning approvals (irrespective of whether the application is submitted by the applicant of previous approval or a different applicant). Sympathetic consideration may be given if genuine efforts have been demonstrated in compliance with approval conditions of the previous planning applications and/or relevant technical assessments/proposals have been included in the fresh applications, if required, to demonstrate that the proposed uses would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas. Planning permission could be granted on a temporary basis up to a maximum period of 3 years, subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions;

   (d) Category 4 areas: Applications would normally be rejected except under exceptional circumstances. For applications on sites with previous planning approvals (irrespective of whether the application is submitted by the applicant of previous approval or a different applicant), and subject to no adverse departmental comments and local objections, sympathetic consideration may be given if genuine efforts have been demonstrated in compliance with approval conditions of the previous planning applications and/or relevant technical assessments/proposals have been included in the fresh applications, if required, to demonstrate that the proposed uses would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas. The intention is however to encourage the phasing out of such non-conforming uses as early as possible. Planning permission for a maximum period of 3 years may be allowed for an applicant to identify suitable sites for relocation. Application for renewal of approval will be assessed on its individual merits; and

   (e) Taking into account the demand for cross-boundary parking facilities, applications for such use at suitable sites in areas of close proximity to the boundary crossing points, such

as in the San Tin area, particularly near the existing cross-boundary link in Lok Ma Chau, may also be considered. Notwithstanding the criteria set out in paragraphs 2.1(c) and (d) above, application of such nature will be assessed on its own merits, including its nature and scale of the proposed use and the local circumstances, and subject to satisfactory demonstration that the proposed use would not have adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas, and each case will be considered on its individual merits.

2. In assessing applications for open storage and port back-up uses, the other major relevant assessment criteria are also summarized as follows:

(a) port back-up sites and those types of open storage generating adverse noise, air pollution, visual intrusion and frequent heavy vehicle traffic should not be located adjacent to sensitive receivers such as residential dwellings, hospitals, schools and other community facilities;

(b) port back-up uses are major generators of traffic, with container trailer/tractor parks generating the highest traffic per unit area. In general, port back-up sites should have good access to the strategic road network, or be accessed by means of purpose built roads;

(c) adequate screening of the sites through landscaping and/or fencing should be considered where sites are located adjacent to public roads or are visible from surrounding residential areas;

(d) there is a general presumption against conversion of active or good quality agricultural land and fish ponds to other uses on an ad-hoc basis. For flood prone areas or sites which would obstruct natural drainage channels and overland flow, advice should be sought; and

(e) for applications involving sites with previous planning approvals, should there be no evidence to demonstrate that the applicants have made any genuine effort to comply with the approval conditions of the previous planning applications, planning permission may be refused, notwithstanding other criteria set out in the Guidelines are complied with.

Previous s.16 Application

Approved Application

Application No.	Uses / Developments	Date of Consideration
A/NE-FTA/251	Proposed Temporary Open Storage of Construction Materials and Machineries for a Period of 3 Years and Associated Filling of Land	4.10.2024 (revoked on 4.7.2026)

Similar s.16 Applications for Temporary Open Storage in the vicinity of the Site within the "Agriculture" zone in the Fu Tei Au and Sha Ling Area

Approved Applications

	Application No.	Uses/Developments	Date of Consideration
1	A/NE-FTA/242	Proposed Temporary Vehicle Repair Workshop (Private Car) and Open Storage of Vehicles for a Period of 3 Years and Associated Filling of Land	20.9.2024 (revoked on 20.3.2026)
2	A/NE-FTA/244[1]	Proposed Temporary Open Storage of Construction Materials for a Period of 3 Years and Associated Filling of Land	6.12.2024 (revoked on 6.12.2025)
3	A/NE-FTA/245[2]	Proposed Temporary Open Storage of Containers and Vehicle Repair Workshop with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land and Pond	20.12.2024 (revoked on 20.3.2026)
4	A/NE-FTA/246[3]	Proposed Temporary Open Storage of Construction Material and Machinery for a Period of 3 Years and Associated Filling of Land	25.10.2024
5	A/NE-FTA/260	Proposed Temporary Open Storage of Construction Machinery and Construction Materials and Associated Filling of Land for a Period of 3 Years	19.12.2025
6	A/NE-FTA/264	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) and Open Storage of Construction Material and Machineries with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years	27.2.2026
7	A/NE-FTA/269	Proposed Temporary Open Storage of Construction Machinery and Construction Materials and Associated Filling of Land for a Period of 3 Years	6.2.2026
8	A/NE-FTA/270	Proposed Temporary Warehouse and Open Storage of Construction Materials and Machinery and Associated Filling of Land for a Period of 3 Years	23.1.2026
9	A/NE-FTA/273[2]	Proposed Temporary Open Storage of Containers and Vehicle Repair Workshop with Ancillary Facilities and Associated Filling of Land and Pond for a Period of 3 Years	13.3.2026
10	A/NE-FTA/279[3]	Temporary Rural Workshop and Open Storage of Recyclable Materials with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years	10.7.2026

	Application No.	Uses/Developments	Date of Consideration
11	A/NE-FTA/281[1]	Proposed Temporary Warehouse and Open Storage of Construction Materials with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years	24.7.2026

Remarks
[*1]: Applications No. A/NE-FTA/244 and A/NE-FTA/281 involved the same site.
[*2]: Applications No. A/NE-FTA/245 and A/NE-FTA/273 involved the same site.
[*3]: Applications No. A/NE-FTA/246 and A/NE-FTA/279 involved the same site.

Government Departments' General Comments

1. Traffic

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

- no in-principle objection to the application from highways maintenance perspective; and
- his advisory comments are at **Appendix VI**.

2. Environment

Comments of the Director of Environmental Protection (DEP):

- no objection to the application from environmental planning perspective, as no domestic dwellings are identified within 100m from the site boundary and 50m from the access road, despite that the applied use involve the use of heavy vehicles;
- no comment on the associated filling of land from environmental perspective as no further filling of land will be carried out;
- two non-substantiated environmental complaints, which were related to suspected illegal fly-tipping of construction waste and its environmental nuisance and impacts to the nearby watercourse in 2024 and construction dust in 2025 pertaining to the application site (the Site) received in the past three years; and
- his advisory comments are at **Appendix VI**.

3. Drainage

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

- no objection to the application from public drainage viewpoint; and
- should the application be approved, approval conditions should be included to request the applicant to implement the accepted drainage proposal for the Site to ensure that it will not cause adverse drainage impact to the adjacent area, and implemented drainage facilities at the Site shall be maintained at all times during the planning approval period.

4. Landscape

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

- no adverse comment on the application from landscape planning perspective;
- based on the aerial photo of 2024, the Site is located in an area of miscellaneous rural fringe landscape character comprising warehouse, temporary structures, vegetated areas and tree clusters. The applied use is considered not entirely incompatible with the surrounding

environment; and

- with reference to the aerial photo and site photos taken on 9.10.2026, the Site is fenced-off and generally formed. Some construction materials and machineries are observed, and no trees or vegetation are found on it. According to the application form (**Appendix I**), no tree felling will be involved. In view of the above, significant adverse landscape impact arising from the applied use is not anticipated.

5. Fire Safety

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

- no objection in principle to the application subject to fire service installations and water supplies for firefighting being provided to his satisfaction; and

- his advisory comments are at **Appendix VI**.

6. Building Matters

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

- no objection to the application; and

- his advisory comments are at **Appendix VI**.

7. Other Departments

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

- Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD);

- Chief Engineer/Construction, Water Supplies Department (CE/C, WSD); and

- District Officer (North), Home Affairs Department (DO(N), HAD).

Recommended Advisory Clauses

(a) prior planning permission should have been obtained before commencing the applied use at the application site (the Site);

(b) to resolve any land issues relating to the development with the concerned owner(s) of the Site;

(c) failure to reinstate the Site as required under the relevant approval condition upon expiry of the planning permission might constitute an unauthorized development under the Town Planning Ordinance and be subject to enforcement and prosecution actions;

(d) to note the comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD) that:

(i) the Site comprises an Old Schedule Agricultural Lot 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. Besides, according to the vehicular access plan of the SPS, the vehicular access is required to pass through other private lot, the applicant shall make their own arrangement;

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

- Unlawful occupation of GL not covered by the planning application

  the GL adjoining the Site has been fenced off/illegally occupied without permission. The GL being illegally occupied is not included in the planning application. Any occupation of GL without Government's prior approval is an offence under the Land (Miscellaneous Provisions) Ordinance (Cap. 28) (the LMP Ordinance). LandsD objects to the application since there is illegal occupation of GL which regularization would not be considered according to the prevailing land policy. The lot owner(s) should immediately cease the illegal occupation of GL as demanded by LandsD. His office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice; and

(iii) the applicant should comply with all land filling requirements imposed by relevant government departments. GL should not be disturbed unless with prior approval;

(e) to note the comments of the Commissioner for Transport (C for T) that the vehicular access between the Hong Kong Police College Integrated Training Centre (Kong Nga Po) and the Site is not managed by the Transport Department (TD); the land status of the local access road should be checked with LandsD; the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities; sufficient manoeuvring space shall be provided within the Site; and no vehicles is allowed to queue back to public road at any time during the planning approval period;

(f) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD) that the proposed access arrangement should be commented by TD; HyD is not/shall not be responsible for the maintenance of the proposed access connecting the Site; and adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;

(g) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that the applicant should adopt good site practices and measures to avoid adverse impacts on the watercourse nearby and to avoid polluting it;

(h) to note the comments of the Director of Environmental Protection (DEP) that the applicant should observe the requirements of the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites';

(i) to note the comments of the Director of Fire Services (D of FS) that:

(i) in consideration of the design/nature of the application, the applicant is advised to submit a declaration form together with the relevant FS 251 for approval;

(ii) if the application will involve the erection of enclosed structures, the aforesaid declaration form will no longer be applicable while the applicant is required to submit relevant layout plans incorporated with the proposed fire service installations (FSIs) to his department for approval;

(iii) the submission of a completed declaration form alongside the valid FS 251 will be considered equivalent to compliance with the relevant approval conditions; and

(iv) if the proposed structures are required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;

(j) to note the comments of the Project Manager (North), North Development Office, Civil Engineering and Development Department (PM(N), CEDD) that the temporary open storage of construction materials and machineries and associated filling of land for a period of three years is located within the proposed Ta Kwu Ling New Development Area (TKL NDA) under the Planning and Engineering (P&E) Study for TKL NDA. The preliminary development proposal for TKL NDA was released in December 2024. While the implementation programme of TKL NDA is being formulated under the P&E Study, the site formation works will likely commence soon after the completion of detailed design in next stage. Hence, the applicant is reminded that subject to the land use planning in the P&E Study, the applied use, if approved, may need to be vacated for the site formation works; and

(k) to note the following comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:

(i) land filling works is building works under the BO. Before the proposed filling of land is to be carried out on site, prior approval and consent of the Building Authority (BA) should be obtained, otherwise they are unauthorized building works under the BO. An Authorized Person (AP) should be appointed as the co-ordinator for the proposed site formation works in accordance with the BO;

(ii) if any existing structure is erected on leased land without the approval of the BA, they are unauthorized building works (UBW) under the BO and should not be designated for any proposed use under the planning application;

(iii) for UBW erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with the prevailing enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBWs on the Site under the BO;

(iv) before any new building works (including containers/open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on application site, prior approval and consent of the BA should be obtained, otherwise they are UBW under the BO. An AP should be appointed as the co-ordinator for the proposed building works in accordance with the BO;

(v) any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings subject to the control of Part VII of the B(P)R; and

(vi) detailed comments under the BO will be provided at building plan submission stage.

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tpbpd/PLAND

寄件者: [redacted]
寄件日期: 2026年10月13日星期二 10:32
收件者: [redacted] tpbpd/PLAND
主旨: 有關的規劃申請編號: A/NE-FTA/289
附件: ANEFTA289 DD87 Lot 356 Part Kong Nga Po.pdf

類別: Internet Email

致城市規劃委員會秘書：

附上有關的規劃申請編號: A/NE-FTA/289 的反對意見回覆如下及請查附件:-

反對意見:

有關的規劃申請編號 The application no. to which the comment relates A/NE-FTA/289

1. 申請地點位於偏遠鄉郊地帶，出入主要依賴狹窄的村路及非標準鄉郊道路。路面寬度嚴重不足、彎位多、視線受阻，根本不符合中型貨車或建築機械進出的標準要求。申請擬引入中型貨車及上落貨活動，增加重型車輛流量。重型車輛在未完善道路上行駛，容易造成路面損毀、塵土飛揚及泥濘。

2. 阻礙附近村民日常出入，尤其影響長者及學童上下學、一旦發生交通擠塞或車輛對頭，緊急救護車及消防車將難以迅速到達。

3. 進一步惡化水浸風險，過往已因填土及排水不暢而出現嚴重水浸，形成水浸黑點、安全隱患與環境惡化的連環負面影響。

4. 貨車倒車操作必然阻礙交通、可能造成道路堵塞，增加道路使用量及整體交通秩序。一旦出現倒車情況，若司機駕駛經驗不足未能即時處理，形成塞車，本鄉堅守維護鄉民民生福祉為首要原則，保持道路暢通的應有使用權利。

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

打鼓嶺區鄉事委員會

[redacted]

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敬請回覆收妥上述電郵及以透過傳真 2877 0245 回覆文件。

如有任何問題,歡迎與本會聯絡 Joey 劉小姐聯絡: [redacted]

專此奉達,順頌

鈞安

打鼓嶺區鄉事委員會

城市規劃委員會秘書：

專人送遞或郵遞:香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵: tpbpd@pland.gov.hk

To : Secretary, Town Planning Board

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax : 2877 0245 or 2522 8426

By e-mail : tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates

A/NE-FTA/289

意見詳情（如有需要，請另頁說明）

Details of the Comment (use separate sheet if necessary)

1. **申請地點位於偏遠鄉郊地帶，出入主要依賴狹窄的村路及非標準鄉郊道路。路面寬度嚴重不足、彎位多、視線受阻，根本不符合中型貨車或建築機械進出的標準要求。申請擬引入中型貨車及上落貨活動，增加重型車輛流量。重型車輛在未完善道路上行駛，容易造成路面損毀、塵土飛揚及泥濘。**

2. **阻礙附近村民日常出入，尤其影響長者及學童上下學、一旦發生交通擠塞或車輛對頭，緊急救護車及消防車將難以迅速到達。**

3. **進一步惡化水浸風險，過往已因填土及排水不暢而出現嚴重水浸，形成水浸黑點、安全隱患與環境惡化的連環負面影響。**

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

打鼓嶺區鄉事委員會

[redacted]

簽署 Signature _____ 日期 13 Oct 2026

2

致城市規劃委員會秘書：
專人送遞或郵遞:香港北角渣華道 333 號北角政府合署 15 樓
傳真 : 2877 0245 或 2522 8426
電郵: tpbpd@pland.gov.hk

To : Secretary, Town Planning Board
By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong
By Fax : 2877 0245 or 2522 8426
By e-mail : tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates
A/NE-FTA/289

意見詳情 (如有需要，請另頁說明)
Details of the Comment (use separate sheet if necessary)

「提意見人」姓名/名稱 Name of person/company making this comment 何志強議員

簽署 Signature _____ 日期 Date 2026.10.9

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3

tpbpd/PLAND

寄件者: [redacted]
寄件日期: 2026年10月24日星期六 1:10
收件者: tpbpd/PLAND
主旨: A/NE-FTA/289 DD 87 Kong Nga Po

類別: Internet Email

Dear TPB Membrs,

Streamed through of course 4 Oct 2024. Conditions of course not fulfilled and evoked 4 July 2026.

So back for another at least two years hassle free.

The metal hoarding is already rusting. Another NT eye sore addition to the growing NT Shanty Town panorama thanks to the collaboration of operators, PlanD and TPB members.

Mary Mulvihill

From: [redacted]
To: "tpbpd" <tpbpd@pland.gov.hk>
Sent: Thursday, September 12, 2024 1:46:09 AM
Subject: A/NE-FTA/251 DD 87 Kong Nga Po

Dear TPB Members,

240 withdrawn. Previous objections applicable and upheld.

The application should be rejected.

Mary Mulvihill

From: [redacted]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Monday, 25 March 2024 2:05 AM HKT
Subject: Re: A/NE-FTA/240 DD 87 Kong Nga Po

Dear TPB Members,

This application should not be streamlined as there are significant issues with regard to the impact filling in the land will have on the natural drainage ecosystem.

Mary Mulvihill

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From: [redacted]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Friday, 26 January 2024 2:34 AM HKT
Subject: A/NE-FTA/240 DD 87 Kong Nga Po

A/NE-FTA/240

Lot 356 (Part) in D.D. 87, Kong Nga Po, Sheung Shui

Site area: About 1,763sq.m

Zoning: "Agriculture"

Applied use: Open Storage of Construction Materials and Machineries / 2 Vehicle Parking / **Filling of Land**

Dear TPB Members,

Strong Objections. No previous approval. Applicant states that the site is formed, clearly due to illegal land use.

Kong Nga Po is gradually being converted into a wasteland covered in haphazard mounds of construction materials. There is no indication of any orderly planning and evaluation of the combined impact on both the environment and the quality of the land.

Why has the government not ensured that its mega construction projects do not include sturdy multi floor warehouses where participants in the construction industry can rent space to store their materials?

Instead it encourages approval of applications like this to crease new brownfield nodes.

Mary Mulvihill