RNTPC Paper No. A/YL-KTN/1294
For Consideration by
the Rural and New Town
Planning Committee
on 20.11.2026

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTN/1294

Applicant	:	Mr. TSOI Tak Lee represented by Goldrich Planners and Surveyors Limited
Site	:	Lot 177 (Part) in D.D. 110, Kam Tin North, Yuen Long
Site Area	:	About 1,232m^2
Lease	:	Block Government Lease (demised for agricultural use)
Plan	:	Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11
Zoning	:	"Agriculture" ("AGR")
Application	:	Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Office and Public Utility Installation (Solar Photovoltaic System) and Associated Filling of Land for a Period of Three Years

1. The Proposal

1.1 The applicant seeks planning permission for temporary warehouse (excluding dangerous goods godown) with ancillary office and public utility installation (solar photovoltaic (SPV) system) and associated filling of land for a period of three years at the application site (the Site), which falls within an area zoned "AGR" on the OZP (**Plan A-1**). Whilst 'Warehouse (excluding Dangerous Goods Godown)' is neither a Column 1 nor Column 2 use in the "AGR" zone, according to the covering Notes of the OZP, temporary use or development of any land not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). According to the Notes of the OZP for "AGR" zone, 'Public Utility Installation', which is a Column 2 use, and filling of land require planning permission from the Board. The Site comprises a portion of an existing local track open for public use as well as the eastern and western portions divided by the said local track, and the two portions are fenced-off and hard-paved, with a temporary structure erected at the western portion for the applied uses without planning permission (**Plans A-2**, **A-4a** and **A-4b**).

1.2 The Site is accessible from Kong Po Road via a local track (**Plans A-1** to **A-4b**). According to the applicant, the applied uses with a total floor area of 340m^2 involve two single-storey structures of not more than 9m in height, including the existing Structure 1 with the SPV system affixed atop at the western portion and the proposed Structure 2 at the eastern portion, for storage of construction

materials (such as bamboo, scaffoldings, bricks, metals, sand) and ancillary office (**Drawing A-1**). The existing SPV system installed atop of Structure 1 involves 32 solar panels (about 1.06m (W) x 1.76m (L) x 0.09m (H) each) with a generation capacity of 10kW (**Drawing A-1** and **Plan A-4b**) and is connected to the existing electricity network of CLP Power Hong Kong Limited (CLP Power) under the 'Renewable Energy (RE) Feed-in Tariff Scheme' (FiT Scheme). All electricity generated is sold to CLP Power on commercial basis[1]. Two parking spaces for private car and four parking spaces for medium goods vehicle (MGV) will be provided at the Site. The applicant also applies for regularisation of filling of land for the entire Site with concrete of not more than 0.2m in depth (to a level of not more than 15.3mPD) for site formation and vehicular circulation (**Drawing A-2**). The existing access road within the Site will not be fenced-off and be open to public 24 hours a day. Peripheral fencing of 2.5m in height is erected along the boundaries of the eastern and western portions of the Site. No open storage, storage of dangerous goods, maintenance, repairing, dismantling, cleaning or other workshop activities will be involved at the Site at all times. The operation hours of the warehouse will be between 9:00 a.m. and 7:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. Plans showing the site layout and land filling area submitted by the applicant are on **Drawings A-1** and **A-2** respectively.

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

(a) Application Form with attachments received on 25.9.2026 and 30.9.2026 (**Appendix I**)

(b) Further Information (FI) received on 13.11.2026* (**Appendix Ia**)

** 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 and FI at **Appendices I** and **Ia**, and can be summarised as follows:

(a) the applied warehouse use is intended to meet the strong demand for warehouse in Yuen Long area. The existing SPV system at the Site has participated the FiT Scheme since 2022 and is in line with the Government's commitment in Hong Kong's Climate Action Plan 2050 in developing RE in Hong Kong. The temporary nature of the application would not jeopardise the long-term planning intention of the "AGR" zone. The applied uses are not incompatible with the surrounding areas;

(b) no storage of dangerous goods, maintenance, repairing, dismantling, cleaning or other workshop activities will be involved at the Site at all times. To minimise the disturbance to the surrounding areas, peripheral fencing of 2.5m in height is erected along the boundaries of the eastern and western portions of the Site; and

(c) the applied filling of land is necessary to meet operational needs. Sufficient space will be provided for vehicles to manoeuvre smoothly within the Site and the applied uses will generate infrequent trips. Adverse impacts are not anticipated.

[1] A Completion Letter confirming the rate and commencement date from CLP Power is at **Appendix I**.

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

The applicant is not a 'current land owner' but has complied with the requirement 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 notice in local newspapers and sending notice to the Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Members' inspection.

4. Assessment Criteria for Considering Applications for SPV System

The 'Assessment Criteria for Considering Applications for SPV System made under Section 16 of the Town Planning Ordinance' (Assessment Criteria) first promulgated on 21.7.2020 is relevant to the application. The latest set of Assessment Criteria which was promulgated on 7.10.2022 are detailed at **Appendix II**.

5. Background

5.1 The Site is subject to planning enforcement actions (No. E/YL-KTN/767 and E/YL-KTN/768) against unauthorized development (UD) both involving storage use (**Plan A-2**). Enforcement Notices (EN) were issued on 24.6.2026 requiring discontinuation of the UDs. Site inspection on 28.9.2026 revealed that both EN sites were largely vacant.

The FiT Scheme

5.2 The FiT Scheme is an initiative introduced by the Government under the post-2018 Scheme of Control Agreements with the two power companies for promoting the development of distributed RE. It aims to encourage the private sector to consider investing in RE as the power generated could be sold to the power companies at a rate higher than the normal electricity tariff to help recover the costs of investment in the RE systems and generation.

5.3 Any non-governmental bodies or individuals, who as customers of the relevant power company plan to install distributed RE systems at their premises in the respective power company's supply area, are eligible for prescribed FiT rates from that power company as long as they have been connected to the latter's grid. To join the FiT Scheme, an applicant may make submission to the relevant power company direct with the required documents including the preliminary layout diagram and other information of the proposed RE system. After meeting the requirements specified by the power company on technical assessment, system test and installation works, the power company will proceed to install a smart meter in the applicant's premises to facilitate connecting the proposed RE system to the power grid. The successful applicant would be offered the FiT rate throughout the project life of the renewable energy system until end-2033. The applicant shall ensure that the design, installation, operation and maintenance of the RE system comply with the applicable laws, guidelines and safety and technical guidelines.

6. Previous Application

There is no previous application involving the Site.

7. Similar Applications

Whilst there is no similar application for temporary public utility installation (SPV system), there are 20 similar applications for temporary warehouse with filling of land (including one also involves filling of pond) within the same "AGR" zone in the vicinity of the Site in the past five years. All these applications were approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board between 2023 and 2026 mainly on the considerations that the proposed use on a temporary basis could be tolerated; the proposed use was not incompatible with the surrounding areas; and the relevant government departments consulted generally had no adverse comments or their concerns and public comments, if any, could be addressed by approval conditions. 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-4b)

8.1 The Site:

(a) comprises a portion of an existing local track open for public use as well as the eastern and western portions divided by the said local track, and the two portions are fenced-off and hard-paved, with a temporary structure erected at the western portion for the applied uses without planning permission; and

(b) is accessible from Kam Tai Road via a local track.

8.2 The surrounding areas are rural in character with an intermix of open storage/storage yards, warehouses, animal boarding establishments, parking of vehicles (with valid planning permission), chicken farm, pigsty farm, fallow farmland, grassland and vacant land (**Plans A-2** and **A-3**). To the further east is the village settlements of Tsat Sing Kong within the Village Type Development ("V") zone (**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 for the "AGR" zone, as filling of land 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 Bureau and Departments

10.1 Apart from the government bureau and 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, if any, are provided at **Appendices IV** and **V** respectively.

10.2 The following government bureau supports the application:

10.2.1 Comments of the Secretary for Environment and Ecology (SEE):

(a) the Government has set net-zero electricity generation as one of the major decarbonisation strategies in the Hong Kong's Climate Action Plan 2050 promulgated in October 2021. To achieve the long-term carbon neutrality target before 2050, it is needed to increase zero-carbon electricity supply through RE development as far as possible;

(b) the policy is for the Government to take the lead in developing RE at various buildings and facilities where technically and financially feasible, and to create conditions that are conducive to community participation. For the private sector, he and the power companies have introduced the FiT Scheme, providing financial incentives which can encourage the private sector to invest in distributed RE. The Government has also introduced a series of measures to facilitate and support members of the public in developing RE;

(c) he supports the development of RE systems, including systems including the applied public utility installation (SPV system) under the application in the subject "AGR" zone involving the installation of 32 solar panels with a capacity of approximately 10kW, which is sufficient to fulfil the annual electricity demand of about three households. The application, if approved, could make good use of the land for solar energy generation while achieving the carbon neutrality target; and

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

10.3 The following government departments do not support the application:

Agriculture and Nature Conservation

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

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

(b) the Site falls within the "AGR" zone 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.; and

(c) no comment on the application from nature conservation perspective.

Environment

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

(a) does not support the application from environmental planning perspective;

(b) based on the applicant's submission, the applied uses would not involve dusty operation but it would cause traffic of heavy vehicles (i.e. MGV). According to his review, there are residential structures within 100m from the boundary of the Site. As such, according to the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' ('CoP'), it is anticipated that the applied uses would cause environmental nuisance to the residential structures nearby;

(c) no comment on the applied filling of land;

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

(e) advisory comments are at **Appendix V**.

11. Public Comment Received During Statutory Publication Period

On 2.10.2026, 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 ground that the Site has been filled and installed with SPV before obtaining planning permission **(Appendix VI)**.

12. Planning Considerations and Assessments

12.1 The application is for temporary warehouse (excluding dangerous goods godown) with ancillary office and public utility installation (SPV system) and associated filling of land for a period of three years at the Site zoned "AGR" (**Plan A-1**). The applied uses are not in line with the planning intention of the "AGR" zone and DAFC does not support the application from agricultural perspective. Notwithstanding this, according to the applicant, the SPV system with 32 panels at Structure 1 has already been connected to the CLP network under the FiT Scheme, which is jointly introduced by the Government and the two power companies for the private sector to invest in the RE until end-2033, and SEE

supports the application for the RE systems and considers that approval of the application could make good use of the land for solar energy generation while achieving the carbon neutrality target. Taking into account the planning assessments below, there is no objection to the applied uses with associated filling of land on a temporary basis of three years.

12.2 Filling of land in 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 drainage perspective and DEP has no comment on the applied filling of land from environmental perspective. As the Site is zoned "AGR", an approval condition requiring the reinstatement of the Site upon expiry of the planning permission so as to uphold the planning intention of the "AGR" zone and restore the greenery of the area is recommended should the Committee decide to approve the application.

12.3 The applied uses are considered not incompatible with the surrounding areas which are rural in character mainly with an intermix of open storage/storage yards, warehouses, animal boarding establishments, parking of vehicles (with valid planning permission), chicken farm, pigsty farm, fallow farmland, grassland and vacant land. A cluster of brownfield uses is to the further southeast of the Site near the Tsat Sing Kong zoned "V" (**Plan A-1**). 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 applied uses are not incompatible with the landscape setting in the proximity and significant adverse landscape impact arising from the applied uses is not anticipated.

12.4 DEP does not support the applied uses which involve the use of heavy vehicle (i.e. MGV) and there are sensitive receivers in the vicinity of the Site. To address DEP's concerns, the applicant will be advised to follow the revised 'CoP' to minimise any potential environmental nuisance caused by the applied uses. Besides, according to the applicant, peripheral fencing of 2.5m in height is erected along the boundaries of the eastern and western portions of the Site. The operation of the applied uses is also subject to the relevant pollution control ordinances.

12.5 Other relevant government departments 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 departments, appropriate approval conditions are recommended in paragraph 13.2 below.

12.6 The applied SPV system is generally in line with the Assessment Criteria (**Appendix II**) in that the applicant has obtained CLP's Completion Letter to demonstrate the technical feasibility of the SPV system; the height of the SPV system (i.e. installed atop of the existing Structure 1 with a height of not more than 9m) is in keeping with the surrounding areas and commensurate with the function it performs; relevant government bureau/departments consulted in general have no adverse comments from various technical perspectives; and the long-term planning intention of the "AGR" zone would not be frustrated.

12.7 There are 20 approved similar applications for temporary warehouse within the same "AGR" zone in the vicinity of the Site in the past five years as mentioned in paragraph 7 above. Approving the current application is in line with the Committee's previous decisions.

12.8 Regarding the public comment as mentioned in paragraph 11, the departmental comments and planning assessments above are relevant. Besides, any UD on the Site would be subject to planning enforcement action.

13. Planning Department's Views

13.1 Based on the assessments made in paragraph 12 above and having taken into account the public comment mentioned 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 20.11.2029. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

(a) no open storage or workshop activities, as proposed by the applicant, shall be carried out on the site at all times during the planning approval period;

(b) 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 20.5.2027;

(c) in relation to (b) 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 20.8.2027;

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

(e) 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 20.5.2027;

(f) in relation to (e) 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 20.8.2027;

(g) if any of the above planning condition (a) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;

(h) if any of the above planning condition (b), (c), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect

and shall on the same date be revoked without further notice; and

(i) upon expiry of the planning permission, the reinstatement of the site, including 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 applied 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 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 25.9.2026 and 30.9.2026
Appendix Ia	FI received on 13.11.2026
Appendix II	The Assessment Criteria for Considering Applications for SPV System made under Section 16 of the Town Planning Ordinance
Appendix III	Similar applications
Appendix IV	Government departments' general comments
Appendix V	Recommended advisory clauses
Appendix VI	Public comment

Drawing A-1	Site layout plan
Drawing A-2	Land filling plan
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plans A-4a and A-4b	Site photos

PLANNING DEPARTMENT
NOVEMBER 2026