

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/540

- Applicant** : 思信停車場有限公司
- Site** : Various Lots in D.D. 125, Ha Tsuen, Yuen Long, New Territories
- Site Area** : About 64,460m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Hung Shui Kiu and Ha Tsuen (HSK and HT) Outline Zoning Plan (OZP) No. S/HSK/2
- Zonings** : (i) “Residential (Group A) 2” (“R(A)2”) (about 30,683m²; 47.6%);
[restricted to maximum plot ratio of 6 and a maximum BH of 140mPD]
- (ii) “Government, Institution or Community” (“G/IC”) (about 23,528m²; 36.5%);
[restricted to a maximum building height (BH) of 8 storeys]
- (iii) “Open Space” (“O”) (about 773m²; about 1.2%)¹; and
- (iv) area shown as ‘Road’ (about 9,476m²; 14.7%)
- Application** : Proposed Temporary Logistic Centre, Warehouse, Vehicle Repair Workshop, Open Storage of Construction Materials and Containers, Container Vehicle Park with Ancillary Workshop (Including Compacting and Unpacking) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary logistic centre, warehouse, vehicle repair workshop, open storage of construction materials and containers, container vehicle park with ancillary workshop (including compacting and unpacking) for a period of three years at the application site (the Site) partly zoned “R(A)2” and “G/IC” and partly shown as ‘Road’ with a minor encroachment onto the “O” zone on the OZP (**Plan A-1a**). According to the covering Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). The Site is currently mainly used for warehouses and open storage of containers with valid planning permissions under applications No. A/HSK/454 and 496 with validity until 23.6.2026 and 22.12.2026 respectively.

¹ Regarded as minor boundary adjustment allowed under the covering Notes of the OZP.

- 1.2 The Site is accessible from Ping Ha Road via a local track and four ingress/egress points are proposed at the north-eastern part of the Site (**Drawing A-1 and Plan A-2**). According to the applicant, 23 temporary structures (one to three storeys, not more than 14.9m high) with a total floor area of about 51,167.4m² are proposed for warehouses, open sheds, workshops, offices, toilets, electricity meter rooms, guard rooms, store room, water tank and pump room. 60 loading/unloading (L/UL) spaces for heavy goods vehicles (HGVs) (each of 14m x 3.5m) will be provided (**Drawing A-1**). Workshop activities (including compressing, packing and unpacking) will be conducted within structures TS 15, 17 and 18. No combustible goods will be stored at the Site. The operation hours are from 8:00 a.m. to 8:00 p.m. from Mondays to Saturdays and there would be no operation on Sundays and public holidays. Plan showing the access leading to the Site and site layout submitted by the applicant is at **Drawing A-1**.
- 1.3 The Site, in part or in whole, was involved in 35 previous applications including 34 applications for logistics centre, warehouse, open storage, vehicle repair workshop, container vehicle park with/without workshop, of which 28 applications were approved by the Rural and New Town Planning Committee (the Committee) of the Board between 1997 and 2023 and six applications involving open storage, logistics transport transit centre, pond filling were rejected by the Committee between 2001 and 2007 (details at paragraph 6 below). The Site is a combination of part of the areas involved in two previous applications, i.e. No. A/HSK/454 covering the northern part of the Site and No. A/HSK/496 covering the southern part of the Site (**Plan A-1b**).
- 1.4 Compared with the last two applications No. A/HSK/454 and 496 approved by the Committee on 23.6.2023 and 22.12.2023 respectively, the current application is submitted by a different applicant with different layout and development parameters. A comparison of the major development parameters of the current application and the last two applications is summarised as follows:

Major Development Parameters	Approved Application (A/HSK/454) (a)	Approved Application (A/HSK/496) (b)	Current Application (A/HSK/540) (c)	Difference (c) – [(a) + (b)]
Applied Use	Temporary Warehouse, Open Storage of Construction Materials and Containers with Container Vehicles Park, Container Tractors Park and Logistics Yard with Ancillary Workshop (Including Compacting and Unpacking	Temporary Open Storage of Containers with Ancillary Logistics Uses, Vehicle Repair Workshop, Container Repair Workshop and Parking of Tractors for a Period of 3 Years	Proposed Temporary Logistic Centre, Warehouse, Vehicle Repair Workshop, Open Storage of Construction Materials and Containers, Container Vehicle Park with Ancillary Workshop (Including Compacting and Unpacking) for a	Addition of logistics centre use and deletion of container tractors park, container repair workshop and parking of tractors

	Workshop) for a Period of 3 Years		Period of 3 Years	
Site Area	About 47,000m ²	About 30,330m ²	About 64,460m ²	-12,870m² (-17%)
Total Floor Area	About 32,644.3m ²	About 1,317.5m ²	About 51,167.4m ²	+17,205.6m² (+51%)
Covered Land Area	About 24,960.1m ²	About 1,112.5m ²	About 41,548m ²	+15,475.4m² (+59%)
No. of Structures	28 (warehouse, logistics centre, office, workshop, open shed uses, electricity meter room, fire service pump room and water tank, guard room and toilet)	3 (open sheds and site offices)	23 (warehouses, open shed, workshops, offices, toilets, electricity meter rooms, guard rooms, store room, water tank and pump room)	-8
Building Height	3.5m to 8m high (1 to 2 storeys)	8m high (2 storeys)	3m to 14.9m high (1 to 2 storeys)	-0.5m to +6.9m (-14% to +86%)
No. of Car Parking Space	0	12 for private cars (each of 5m x 2.5m)	0	-12 for private cars
No. of U/UL Bays	52 for HGVs (each of 14m x 3.5m)	36 for HGVs (each of 12m x 5m)	60 for HGVs (each of 14m x 5m)	-28 for HGVs
Operation Hours	from 8:00 a.m. to 8:00 p.m. from Mondays to Saturdays, no operation on Sundays and public holidays	from 8:00 a.m. to 9:00 p.m. from Mondays to Saturdays, no operation on Sundays and public holidays	from 8:00 a.m. to 8:00 p.m. from Mondays to Saturdays, no operation on Sundays and public holidays	/

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

- (a) Application Form with attachments received on **(Appendix I)** 20.11.2024.
- (b) Further Information (FI) received on 24.12.2024* **(Appendix Ia)**
- (c) FI received on 6.1.2025* **(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 with attachments and FI at **Appendices I and Ia**. They can be summarised as follows:

- (a) Previous applications for similar uses have been approved by the Board at the Site. Approval conditions of the previous applications regarding the provision of drainage facilities and landscape planting have been complied with. The current application is to combine part of the sites of previous applications No. A/HSK/454 and 496 and utilise one fire service installations (FSIs) system to serve the whole site while excluding the western and southern portions of the sites which have been resumed for the Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA) development² (**Plan A-2**).
- (b) The applied uses are temporary in nature and would not jeopardise the long-term planning intention of the concerned zones. The current application is to allow the continuation of the proposed uses during the interim period before the Site is required for the HSK/HT NDA development.
- (c) The applied uses are not incompatible with the surrounding areas. Similar planning applications for open storage and port back-up uses have been approved by the Board in the adjoining areas.
- (d) The applied uses will have insignificant traffic impact. Sufficient maneuvering spaces will be provided within the Site.
- (e) The applied uses will not generate significant environmental impact to the surrounding areas as adequate mitigation measures will be provided. The applicant pledges to follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (“CoP”) to minimise the possible environmental impacts.

3. **Compliance with the “Owner’s Consent/Notification” Requirements**

The applicant is not a “current land owner” 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 notices in local newspapers and sending notice to Ha Tsuen Rural Committee by registered post. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Town Planning Board Guidelines**

On 14.4.2023, the Board promulgated the revised Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13G). The Site falls within the HSK/HT NDA under the revised Guidelines. Relevant extract of the Guidelines are attached at **Appendix II**.

² The concerned lots were reverted to Government on 31.8.2024.

5. **Background**

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

6. **Previous Applications**

- 6.1 The Site, in part or in whole, was involved in 35 previous applications involving logistics centre, warehouse, open storage, vehicle repair workshop, container vehicle park with/without workshop. Amongst them, 28 applications (No. A/YL-HT/24, 41, 43, 78, 80, 103, 136, 232, 289, 389, 430, 443, 590, 595, 665, 731, 781, 826, 831, 904, 1000, 1052 and A/HSK/9, 146, 223, 289, 454 and 496) were approved with conditions by the Committee between 1997 and 2023 mainly on similar considerations that the applied use was not incompatible with the surrounding areas; being generally in line with the relevant TPB PG-No.13 and no major adverse comments from concerned government departments. However, six of the planning permissions were subsequently revoked due to non-compliance with the time-limited approval conditions. Details of these applications are summarised at **Appendix III** and their boundaries are shown on **Plan A-1b**.
- 6.2 Six earlier applications (No. A/YL-HT/183, 201, 203, 334, 388 and 410) were rejected by the Committee between 2001 and 2007 mainly on the considerations that the applied uses are not compatible with village settlements in the adjacent area; being not in line with the relevant TPB PG-No.13 and insufficient information to demonstrate no possible adverse traffic, environmental, landscape and/or drainage impacts (**Appendix III**).
- 6.3 Applications No. A/YL-HT/25 for temporary works (storage) area for storage of construction equipment and material until end of 1997 was approved by the Board on review in 1997. The considerations for this application are not relevant to the current application which is for different uses.
- 6.4 The last two applications No. A/HSK/454 and 496 were approved by the Committee on 23.6.2023 and 22.12.2023 respectively for a period of three years with validity up to 23.6.2026 and 22.12.2026 respectively. Except for the implementation of FSIs proposal, all other time-limited approval conditions under both applications have been complied with.

7. **Similar Applications**

There are 27 similar applications involving logistics centre, warehouse, open storage, container vehicle park with/without workshop within/straddling the subject “R(A)2” and “G/IC” zones and area shown as ‘Road’ in the past five years of which 26 applications were approved with conditions by the Committee between 2020 and 2024 based on similar considerations as mentioned in paragraph 6.1 above while one application was rejected by the Committee in 2021 as there was insufficient information to demonstrate no adverse environmental impacts. Details of these applications are summarised at **Appendix III** and their locations are shown on **Plan A-1a**.

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

- 8.1 The Site is:

- (a) accessible from Ping Ha Road via a local track; and
 - (b) currently mainly used for warehouses and open storage of containers with valid planning permissions.
- 8.2 The surrounding areas are predominantly occupied by open storage yards, logistics centres, warehouses and workshop intermixed with residential dwellings. Some of these uses are covered by valid planning permissions, whilst some are suspected unauthorized developments subject to planning enforcement action.

9. Planning Intentions

- 9.1 The planning intention of the “G/IC” zone is primarily for provision of Government, institution or community facilities serving the needs of the local residents and/or wider district, region or territory.
- 9.2 The planning intention of the “R(A)” zone is primarily for high-density residential developments.
- 9.3 The concerned area shown as ‘Road’ is reserved for the proposed widening of Ping Ha Road and a proposed local road.

10. Comments from Relevant Government Departments

- 10.1 Apart from the government department as set out in paragraph 10.2 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 IV** and **V** respectively.
- 10.2 The following government department has reservation on the application:

Land Administration

10.2.1 Comments of the District Lands Officer/Yuen Long, Lands Department:

- (a) he has reservation on the planning application since there is unauthorized structure(s) on Lot 63, 65, 80, 144, 146, 256 RP and 281 RP in D.D. 125 which is already subject to lease enforcement actions subject to case priority. The lot owner should apply for regularization on the lease breaches as demanded by LandsD; and
- (b) according to his record, there is no lease modification/land exchange application or building plan submission in relation to development at the Site approved/under processing.

11. Public Comment Received During Statutory Publication Period

On 29.11.2024, the application was published for public inspection. During the statutory public inspection period, a public comment from an individual was received (**Appendix VII**) expressing concerns on the impacts of the application on the planning intention the area and the approval conditions under the previous applications which have not yet been

complied with.

12. Planning Considerations and Assessment

- 12.1 The application is for proposed temporary logistic centre, warehouse, vehicle repair workshop, open storage of construction materials and containers, container vehicle park with ancillary workshop (including compacting and unpacking) for a period of three years at the Site partly zoned “G/IC” (about 36.5%) and “R(A)2” (about 47.6%), and partly shown as ‘Road’ (about 14.7%) on the OZP. Whilst the applied uses are not in line with the planning intentions of the “G/IC” and “R(A)” zones, the Project Manager (West), the Civil Engineering and Development Department has no adverse comment on the application. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the Site. Notwithstanding this, should the application be approved, it is suggested to include an advisory clause stating that the Site may be resumed by the Government at any time during the planning approval period for the implementation of government projects.
- 12.2 The applied uses are considered not incompatible with the surrounding land uses which are predominantly occupied by open storage yards, logistics centres, warehouses and workshops intermixed with residential dwellings, with some of these uses covered by valid planning permissions (**Plan A-2**).
- 12.3 The applied uses are generally in line with TPB PG-No. 13G in that the Site falls within the HSK/HT NDA and 28 previous planning approvals involving the Site, in part or in whole, for logistics centre, warehouse, open storage, vehicle repair workshop, container vehicle park with/without workshop had been granted from 1997 to 2023. Compared with the last two approved applications No. A/HSK/454 and 496, the current application is submitted by a different applicant with a different layout to mainly combine the sites under applications No. A/HSK/454 and 496, while excluding those areas already resumed for the HSK/HT NDA project (**Plan A-2**). The site area under the current application is smaller than the combined area of the two approved applications (-17%), and the previously approved container tractors park and container repair workshop uses have been removed. While majority of the Site is covered by two valid planning permissions, the time-limited conditions regarding the implementation of FSIs proposal have not yet been complied with. In this regard, the applicant advises that FSIs proposal for the whole site based on the revised layout would be formulated upon approval by the Committee and pledges to comply with the relevant approval condition. In this regard, the Director of Fire Services has no objection to the application. As such, sympathetic consideration may be given to the application. Should the application be approved, the applicant will be advised that should he fail to comply with any of the approval conditions resulting in revocation of planning permission, sympathetic consideration may not be given to any further applications.
- 12.4 Other concerned government departments consulted including the Director of Environmental Protection, Commissioner for Transport and Chief Engineer/Mainland North of Drainage Services Department have no adverse comment on the application from the environmental, traffic and drainage points of view respectively. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 13.2 below.

- 12.5 Regarding DLO/YL, LandsD's comments on unauthorized structure(s) on Lots 63, 65, 80, 144, 146, 256 RP and 281 RP in D.D. 125, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 12.6 28 previous approvals involving logistics centre, warehouse, open storage, vehicle repair workshop, container vehicle park with/without workshop at the Site were granted from 1997 to 2023 and 26 similar applications had been approved by the Committee in the past five years. Approval of the current application is generally in line with the previous decisions of the Committee.
- 12.7 Regarding the public comment expressing concerns on the application as summarised in paragraph 11 above, the planning considerations and assessments in paragraph 12.1 to 12.6 above are relevant.

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, the Planning Department considers that the applied uses could be tolerated for a period of 3 years.
- 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 3 years until **10.1.2028**. The following conditions of approval and advisory clauses are also 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 **10.7.2025**;
- (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 **10.10.2025**;
- (c) in relation to (b) above, the implemented drainage facilities within the site shall be maintained at all times during the planning approval period;
- (d) the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **21.2.2025**;
- (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 **10.7.2025**;
- (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 **10.10.2025**;
- (g) 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; and

- (h) if any of the above planning condition (a), (b), (d), (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.

Advisory clauses

The recommended advisory clauses are attached 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 are not in line with the planning intentions of the "G/IC" and "R(A)" zones which are primarily for provision of Government, institution or community facilities serving the needs of the local residents and/or wider district, region or territory; and for high-density residential developments respectively. There is no strong justification in the submission for a departure from the planning intentions, 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 received on 20.11.2024
Appendix Ia	FI received on 24.12.2024
Appendix Ib	FI received on 6.1.2025
Appendix II	Relevant Extract of TPB PG-No. 13G
Appendix III	Previous and Similar Applications
Appendix IV	Government Departments' General Comments
Appendix V	Recommended Advisory Clauses
Appendix VI	'Good Practice for Open Storage Sites' by the Fire Services Department
Appendix VII	Public Comment
Drawing A-1	Proposed Layout Plan with Vehicular Access
Plan A-1a	Location Plan with Similar Applications
Plan A-1b	Previous Applications Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4f	Site Photos

**PLANNING DEPARTMENT
JANUARY 2025**