

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/552

- Applicant** : Sunny Ease Investment Limited represented by PlanPlus Consultancy Limited
- Site** : Various Lots in D.D. 125 and D.D. 129 and Adjoining Government Land (GL), Ha Tsuen, Yuen Long, N.T.
- Site Area** : About 26,983.8m² (including GL of about 170m² or 0.63%)
- 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) “Government, Institution or Community” (“G/IC”) (about 35%);
[Restricted to a maximum building height of 8 storeys]
- (ii) “Open Space” (“O”) (about 22.8%); and
- (iii) area shown as ‘Road’ (about 42.2%)
- Application** : Temporary Logistics Centre with Ancillary Office and Parking of Vehicles for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary logistics centre with ancillary office and parking of vehicles for a period of three years at the application site (the Site) partly zoned “G/IC” and “O” and partly shown as ‘Road’ 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 occupied by temporary structures and used for the applied use without valid planning permission.
- 1.2 The Site is accessible from Ping Ha Road via a local track and the ingress/egress point is at the southeastern part of the Site (**Drawing A-1 and Plan A-2**). According to the applicant, two two-storeys temporary structures (not more than 11m high) with a total floor area of about 19,035.1m² are used for logistics centres while the other eight temporary structures (one to two storeys, 2.2m to 6m high) with a total floor area of about 282.9m² are used for office, toilets, guard room, sprinkler water tank, water tank and pump room, transformer room, dynamotor and carpark. Four parking spaces for private cars (each of 5m x 2.5m), eight parking spaces for container vehicles (each of 16m x 3.5m) and four loading/unloading (L/UL) spaces for medium/heavy goods vehicles (M/HGVs) (each of 11m x 3.5m) will be provided

(**Drawing A-1**). No dismantling, maintenance, repairing, cleaning, paint-spraying or other workshop activities will be carried out at the Site. The operation hours are from 7:00 a.m. to 9:00 p.m. from Mondays to Saturdays and there would be no operation on Sundays and public holidays. Plans showing the site layout, as-built drainage facilities and fire service installations (FSIs) proposal submitted by the applicant are at **Drawings A-1 to A-3** respectively.

- 1.3 The Site, in part or in whole, was involved in nine previous applications including two applications for the same applied use as the current application. Both applications were approved by the Rural and New Town Planning Committee (the Committee) of the Board in 2018 and 2021 respectively (details at paragraph 6 below) (**Plan A-1b**).
- 1.4 Compared with the last application No. A/HSK/319 approved by the Committee on 26.11.2021, the current application is submitted by a different applicant for the same applied use with a similar layout at the same site. A comparison of the major development parameters of the current application and the last approved application is summarised as follows:

Major Development Parameters	Approved Application (A/HSK/319) (a)	Current Application (A/HSK/552) (b)	Difference (b) – (a)
Applied Use	Temporary Logistics Centre with Ancillary Office and Parking of Vehicles for a Period of 3 Years		No change
Site Area	About 26,983.8m ²		No change
Total Floor Area	About 18,460m ²	About 19,318m ²	+858m² (+4.6%)
No. of Structures	8 (logistics centres, office, toilets, guard room, water tank and pump room and transformer room)	10 (logistics centres, office, toilets, guard room, sprinkler water tank, water tank and pump room, transformer room, dynamotor and carpark)	+2 (+25%)
Building Height	not more than 11 m high (1 to 2 storeys)		No change
No. of Car Parking Space or L/UL Bay	4 for private cars 8 for container vehicles 4 for M/HGVs		No change
Operation Hours	from 7:00 a.m. to 9:00 p.m. from Mondays to Saturdays, no operation on Sundays and public holidays		No change

- 1.5 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 25.2.2025 (**Appendix I**)
 - (b) Supporting Planning Statement (SPS) (**Appendix Ia**)
 - (c) Further Information (FI) received on 28.3.2025* (**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 and SPS at **Appendices I and Ia**. They can be summarised as follows:

- (a) the Site falls within the Remaining phase of Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA) development. The applied use is temporary in nature and would not jeopardise the long-term planning intention of the concerned zones;
- (b) the applied use is not incompatible with the surrounding areas. Similar planning applications for logistics use have been approved by the Board in the adjoining areas;
- (c) the Site is located at a strategic location which is close to the Shenzhen Bay Bridge and well connected by highways to the airport. The area is identified as “Logistic, Enterprise and Technology Quarter” in the HSK/HT NDA and there is a genuine need for logistics centre in the area. The Site would be temporarily utilised to accommodate logistics activities prior to the completion of the HSK/HT NDA development;
- (d) previous applications for the same use had been approved by the Board at the Site. The previous approval of application No. A/HSK/319 was revoked due to non-compliance with the approval condition regarding the implementation of FSIs proposal. The applicant has demonstrated efforts in implementing the FSIs proposal and a permanent freshwater supply has been connected to the Site; and
- (e) the applied use will not cause adverse traffic impact. Sufficient maneuvering spaces and vehicle parking spaces will be provided within the Site.

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. For the GL portion, the “Owner’s Consent/Notification” requirements are not applicable.

4. Town Planning Board Guidelines

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

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 nine previous applications (No. A/YL-HT/183, 201, 299, 410, 881, 916 and 971 and A/HSK/43 and 319) for various temporary open storage, logistics centre, warehouse with/without ancillary maintenance workshop/office/parking of vehicles uses. Two of these applications (No. A/HSK/43 and 319) for the applied use as the current application were approved with conditions by the Committee in 2018 and 2021 respectively 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, both 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 The other seven applications (No. No. A/YL-HT/183, 201, 299, 410, 881, 916 and 971) involving various temporary open storage or warehouse with/without ancillary maintenance workshop/office/parking of vehicles uses were approved or rejected by the Committee/the Board between 2001 and 2015. The considerations for these applications are not relevant to the current application which is for a different use.
- 6.3 The last previous application No. A/HSK/319 submitted by a different applicant for the same applied use as the current application was approved by the Committee on 26.11.2021 for a period of three years. The permission was revoked on 26.8.2023 due to non-compliance with the time-limited approval condition regarding the implementation of FSIs proposal.

7. Similar Applications

There are six similar applications involving logistics centre use within/straddling the same “G/IC” and “O” zones and area shown as ‘Road’ in the past five years. All of them were approved with conditions by the Committee between 2020 and 2025 based on similar considerations as mentioned in paragraph 6.1 above. 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-4c)

- 8.1 The Site is:
- (a) accessible from Ping Ha Road via a local track; and
 - (b) currently occupied by temporary structures and used for the applied use without valid planning permission.
- 8.2 The surrounding areas are predominantly occupied by logistics centres, open storage yards and warehouse intermixed with some residential dwellings and parking of vehicles. 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 the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory.
- 9.2 The planning intention of the “O” zone is primarily for the provision of outdoor open-air public space for active and /or passive recreational uses serving the needs of local residents as well as the general public.
- 9.3 The concerned area shown as ‘Road’ is reserved for the proposed Road D1.

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 does not support the application:

Environment

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

- (a) it is noted that the applied use would generate traffic of heavy vehicles and there are residential uses in vicinity of the Site (the nearest residential dwelling being about 79m away) (**Plan A-2**). He does not support the application because noise nuisance from the applied use to these sensitive uses is expected;
- (b) no environmental complaints pertaining to the Site was received in the past three years; and
- (c) should the application be approved, the applicant should note his advisory comments at **Appendix V**.

11. Public Comment Received During Statutory Publication Period

On 4.3.2025, the application was published for public inspection. During the statutory public inspection period, a public comment from an individual was received (**Appendix VI**) objecting to the application on the ground that repeated revoked applications should be rejected to prioritise the interest of the community.

12. Planning Considerations and Assessments

- 12.1 The application is for temporary logistics centre with ancillary office and parking of vehicles for a period of three years at the Site partly zoned “G/IC” and “O” and partly shown as ‘Road’ on the OZP. Whilst the applied use is not in line with the planning

intentions of the “G/IC” and “O” zones, there is no known development proposal at the Site. The Project Manager (West) of Civil Engineering and Development Department advises that the Site falls within the study area of Lau Fau Shan Development in which the implementation programme and land resumption/clearance programme are currently being reviewed under the relevant investigation study and subject to change. Approval of the application on a temporary basis of three years would not jeopardise the long-term development of the Site. Nonetheless, should the application be approved, the applicant should be reminded that the Site may be resumed by the Government at any time during the planning approval period for potential development project and advised not to carry out any substantial works therein.

- 12.2 The applied use is considered not incompatible with the surrounding areas which are predominantly occupied by logistics centres, open storage yards and warehouse intermixed with some residential dwellings and parking of vehicles, with some of these uses covered by valid planning permissions (**Plan A-2**).
- 12.3 The applied use is generally in line with TPB PG-No. 13G in that the Site falls within the HSK/HT NDA and was involved in two previous planning applications approved by the Committee in 2018 and 2021 respectively for the same applied use. While the planning permission under the last application No. A/HSK/319 has been revoked due to non-compliance with the time-limited approval condition regarding the implementation of FSIs proposal, a FSIs proposal has been submitted in the current application which is accepted by the Director of Fire Services (D of FS). Besides, the applicant has also submitted the Fire Service Completion Advice to demonstrate that a permanent connection of fresh water supply to the Site has been provided for the purpose of fire fighting (**Annex 10 of Appendix Ia**). In this regard, D of FS 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 relevant government departments consulted including the Commissioner for Transport and Chief Engineer/Mainland North of Drainage Services Department have no objection to or no adverse comment on the application from the traffic and drainage points of view respectively. While DEP does not support the application as the applied use involves the use of heavy vehicles and noise nuisance to the sensitive uses in the vicinity of the Site (**Plan-A-2**) is expected, there is no environmental complaint pertaining to the Site received in the past three years. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 13.2 below. Should the application be approved, the applicant will also be advised to follow the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise the potential environmental nuisance on the surrounding areas.
- 12.5 Two previous approvals for the same applied use at the Site were granted in 2018 and 2021 respectively and six similar applications had been approved by the Committee between 2020 and 2025. Approval of the current application is in line with the previous decisions of the Committee.
- 12.6 Regarding the public comment objecting to the application as summarised in paragraph 11 above, the planning considerations and assessments 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 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 **11.4.2028**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (b) the submission of a condition record of the existing drainage facilities on the site within **3** months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **11.7.2025**;
- (c) the implementation of the accepted fire service installations proposal within **9** months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **11.1.2026**;
- (d) if the above planning condition (a) 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
- (e) if any of the above planning condition (b) or (c) 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 use is not in line with the planning intentions of the "G/IC" and "O" zones which are primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory and for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public 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 with Attachments received on 25.2.2025
Appendix Ia	SPS
Appendix Ib	FI received on 28.3.2025
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	Public Comment
Drawing A-1	Layout Plan
Drawing A-2	As-built Drainage Plan
Drawing A-3	FSIs Plan
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-4c	Site Photos

**PLANNING DEPARTMENT
APRIL 2025**