

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL-TT/645**

- Applicant** : Mang Sang Timber Trading Limited represented by R-riches Property Consultants Limited
- Site** : Lots 1339 S.A (Part), 1339 S.B (Part), 1339 S.C (Part), 1339 S.D (Part), 1339 S.E (Part), 1339 S.F (Part), 1339 S.G (Part), 1339 S.H ss.1 (Part) and 1339 RP (Part) in D.D. 117 and adjoining Government Land (GL), Tai Tong, Yuen Long, New Territories
- Site Area** : 3,109 m<sup>2</sup> (about) (including GL of about 925 m<sup>2</sup> or 29.7%)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/20
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years and Associated Filling of Land

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed temporary warehouse for storage of construction materials for a period of three years at the application site (the Site) zoned “AGR” 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). According to the Notes of the OZP for the “AGR” zone, filling of land also requires planning permission from the Board. The Site is partly formed and currently vacant (**Plan A-4b**).
- 1.2 According to the applicant, the current application is to facilitate the relocation of the construction materials trading business at Lot 2240 S.B (Part) in D.D. 96 in Ma Tso Lung, Kwu Tung North which had been resumed by the Government in February 2022 for implementation of the Kwu Tung North New Development Area (KTN NDA). The applicant has undergone a thorough site-selection process before identifying the Site as the most suitable site for relocation. The size of the Site (i.e. about 3,109 m<sup>2</sup>) is comparable to its previous operation (i.e. about 2,800 m<sup>2</sup>).

- 1.3 The Site is accessible from Tai Tong Road via a local track (**Drawing A-1** and **Plan A-2**). The proposed use consists of a 2-storey (12m in height) warehouse cum site office with a floor area of 1,817m<sup>2</sup> for storage of construction materials (including timber, iron frames and aluminium plates) as well as two single-storey structures for transformer room and washroom respectively (**Drawing A-2**). The applicant also proposes to fill the entire site with concrete with a depth of about 0.2m for site formation of structures, parking and circulation area (**Drawing A-3**). No workshop activities and storage of dangerous goods would be carried out on the Site. Plans showing the vehicular access, site layout, site level, run-in/out with swept path analysis, drainage, fire service installations (FSIs) and tree preservation and landscape proposals submitted by the applicant are at **Drawings A-1** to **A-7** respectively.
- 1.4 The Site is involved in three previous applications (**Plan A-1b**) including one application for temporary warehouse use approved by the Rural and New Town Planning Committee (the Committee) of the Board in 2022 (details at paragraph 5 below). As compared with the last approved application No. A/YL-TT/544, the current application is submitted by the same applicant for same use with filling of land and minor changes in development parameters. A comparison of the major development parameters between the last approved application and the current application is as follows:

<b>Major Development Parameters</b>	<b>Last Approved Application (A/YL-TT/544) (a)</b>	<b>Current Application (A/YL-TT/645) (b)</b>	<b>Difference (b) – (a)</b>
Proposed Use	Temporary Warehouse for Storage of Construction Materials		No change
Site Area	About 3,170 m <sup>2</sup>	About 3,109 m <sup>2</sup>	-61 m <sup>2</sup> (-1.9%)
Area Involves Filling of Land	--	About 3,109 m <sup>2</sup> (i.e. with a depth of filling not more than 0.2m)	+ 3,109 m <sup>2</sup> (+100%)
Total Floor Area	2,517 m <sup>2</sup>	1,841 m <sup>2</sup>	- 676 m <sup>2</sup> (-26%)
No. of Structures	3 (1 for warehouse, 1 for loading/unloading and 1 for washroom)	3 (1 for warehouse with site office, 1 for transformer room and 1 for washroom)	--
Height of Structures	2.5 -12 m (1 storey)	2.5 -12 m (1-2 storeys)	- (+1 storey)
No. of Parking Spaces	2 (for private cars) (5 m x 2.5 m each)		No change
No. of Loading/Unloading Spaces	2 (for container vehicles) (16 m x 3.5 m)	1 (for container vehicle) (16 m x 3.5 m)	- 1

Operation Hours	8:30 a.m. to 5:30 p.m. Mondays to Saturdays (No operation on Sundays and Public Holidays)	No change
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1.5 In support of the application, the applicant has submitted the following documents:

- (a) Application Form with attachments received on 5.4.2024 **(Appendices I and Ia)**
- (b) Further Information (FI) received on 2.5.2024\* **(Appendix Ib)**
- (c) FI received on 8.5.2024\* **(Appendix Ic)**
- (d) FI received on 27.5.2024\* **(Appendix Id)**  
*\*Exempted from publication and recounting requirements*

1.6 On 24.5.2024, the Committee agreed to defer making a decision on the application for two months as requested by the applicant.

## **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 FIs at **Appendices I to Id**. They can be summarised as follows:

### *Effort in Identifying Suitable Site for Relocation*

- (a) The applicant has spent efforts on identifying alternative sites for relocating the original premises in various districts (including Man Kam To, Kwu Tung, Kong A Leng and Pat Heung, etc.). However, those sites were considered not suitable or impracticable due to various shortcomings such as geographical constraints, high construction/acquisition costs, potential right-of-way disputes and traffic concerns etc.

### *Importance to the Local Construction Industry*

- (b) The applicant is one of the few remaining major timber/plywood suppliers which plays a vital role in supporting large-scale public/private projects throughout the territory. The applicant accounted for about 33% and 16% of the imported timber/plywood of Hong Kong in 2020 and 2021 respectively. Successful relocation to the Site would help sustain the operation and support the upcoming development projects, such as those in the Northern Metropolis Development Strategy and Lantau Tomorrow Vision.

### *The Site is Unsuitable for Agricultural Rehabilitation*

- (c) The Site has not been put to its intended agricultural use for a considerable period of time and there are open storage/storage yards in the vicinity. The Site is considered unsuitable for agricultural rehabilitation. Approval of the current application would better utilise precious land resources in the New Territories.

*Effort to Comply with the Approval Conditions under Previous Approved Planning Application No. A/YL-TT/544*

- (d) The applicant has demonstrated efforts to comply with the approval conditions of the previously approved application No. A/YL-TT/544. Short Term Waiver (STW) has been obtained from the Lands Department (LandsD). However, approval of the Short Term Tenancy (STT) was only granted by LandsD on 31.1.2024 and the applicant did not have sufficient time to complete the construction works for the boundary fencing and to comply with other approval conditions within the specified time periods which led to the revocation of the planning permission.

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

The applicant is the sole “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, 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) are not applicable.

**4. Background**

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

**5. Previous Applications**

- 5.1 The Site is involved in one rejected previous application No. A/YL-TT/315 and two approved previous applications (No. A/YL-TT/515 and 544) covering different extents of the Site. Details of the applications are summarised at **Appendix II** and the boundaries of the sites are shown on **Plan A-1b**.

***Rejected Application***

- 5.2 Application No. A/YL-TT/315 for temporary open storage of construction machinery and materials for a period of three years was rejected by the Board on review in 2014. The considerations of this application are not relevant to the current application which involves a different use.

***Approved Applications***

- 5.3 Application No. A/YL-TT/515 covering the eastern part of the Site for temporary place of recreation, sports or culture (hobby farm) for a period of five years with filling of land was approved by the Committee in 2021. The considerations of this application are not relevant to the current application which involves a different use.
- 5.4 Application No. A/YL-TT/544 for temporary warehouse for storage of construction materials for a period of three years was approved by the Committee in 2022 mainly on the considerations of having policy support from the Development Bureau; not frustrating the long-term planning intention of the “AGR” zone; and not being incompatible with the landscape character of the surrounding areas. However, the planning permission for application No. A/YL-

TT/544 was revoked on 20.2.2024 due to non-compliance with time-limited approval conditions related to the provision of boundary fencing and the implementation of run-in/out, drainage and FSIs proposals.

**6. Similar Application**

- 6.1 There is no similar application within the same “AGR” zone on the OZP.
- 6.2 For Members’ information, applications No. A/YL-TT/626 and 628 for temporary warehouse and associated filling of land in the “AGR” zone in the vicinity will be considered by the Committee at the same meeting (**Plan A-1a**).

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

- 7.1 The Site is:
  - (a) currently fenced off, vacant and partly formed; and
  - (b) accessible via a local track leading from Tai Tong Road.
- 7.2 The surrounding areas are predominantly rural in character comprising temporary structures, storage yards and workshop, intermixed with farmland, vegetated/unused land and residential dwellings. The storage yards and workshop are suspected unauthorized developments subject to planning enforcement action.

**8. Planning Intention**

- 8.1 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.
- 8.2 According to the Explanatory Statement of the OZP, as filling of land may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities in the subject “AGR” zone.

**9. Comments from Relevant Government Bureau/Departments**

- 9.1 Apart from the government bureau/departments as set out in paragraphs 9.2 and 9.3 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 are provided in **Appendices III and IV** respectively.
- 9.2 The following government bureau supports the application.

**Policy Aspect**

- 9.2.1 Comments of the Secretary for Development (SDEV):

- (a) the Site is the subject of a previously approved application No. A/YL-TT/544 for the same proposed use submitted by the same applicant. The aforesaid previous application was to facilitate relocation of an open storage affected by the government-led KTN NDA project;
- (b) according to the applicant, the major changes to the development proposal comparing with the previous application is the decrease in site area, gross floor area and covered area to meet the operational need. Other major development parameters, including the proposed use, number of structures, building height and operation hours remain generally unchanged; and
- (c) given the above, support to the current application is maintained from the perspective of ensuring timely development of the NDA and delivery of the housing yield, as well as facilitating the continued operation of the affected brownfield operations. The land freed up by the operation will, together with other cleared land, be redeveloped into the KTN NDA, capable of providing about 49,900 housing units in phases. Facilitating relocation of affected brownfield operations is crucial to the smooth clearance for and implementation of the NDA project.

9.3 The following government departments have adverse comments on the application.

**Environment**

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

- (a) he does not support the application as there are residential uses in the vicinity, the proposed use would generate heavy vehicle traffic and environmental nuisance is expected;
- (b) there was no environmental complaint concerning the Site received in the past three years; and
- (c) should the application be approved, the applicant should note the advisory comments in the Recommended Advisory Clauses in **Appendix IV**.

**Agriculture**

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

- (a) the Site falls within the “AGR” zone and is generally vacant. There are active agricultural activities in the vicinity, and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses and plant nurseries, etc. As the Site possesses potential for agricultural rehabilitation, the proposed use is not supported from agricultural perspective; and
- (b) no comment from nature conservation point of view.

## **10. Public Comment Received During the Statutory Publication Period**

On 12.4.2024, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual providing views that the previous approval conditions have not been fulfilled (**Appendix V**).

## **11. Planning Considerations and Assessments**

- 11.1 The application is for proposed warehouse for storage of construction materials for a period of three years and associated filling of land at the Site zoned “AGR” on the OZP. The proposed use is not in line with the planning intention of the “AGR” zone and DAFC does not support the application from agricultural perspective mainly on consideration that the Site possesses potential for agricultural rehabilitation. Nevertheless, according to the applicant, the application is to facilitate relocation of a business operation affected by the KTN NDA development. The size of the Site (i.e. about 3,109 m<sup>2</sup>) is comparable to its previous operation (i.e. about 2,800 m<sup>2</sup>). With the policy objective of ensuring timely development of NDA and delivery of housing yield, as well as facilitating the continued operation of displaced brownfield operations, SDEV supports the application from the policy perspective. Taking into account the planning assessments below, it is considered that the proposed use on a temporary basis of three years may warrant sympathetic consideration and could be tolerated.
- 11.2 Filling of land within 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 from drainage perspective.
- 11.3 The Site is situated in an area of rural in character comprising temporary structures, storage yards and workshop intermixed with farmland, vegetated/unused land and residential dwellings (**Plan A-2**). To mitigate the potential landscape impact, the applicant has submitted a tree preservation and landscape proposal which proposes to preserve two existing trees and provide an extra 17 new trees within the Site (**Drawing A-8**). In this regard, the Chief Town Planner/Urban Design & Landscape of Planning Department has no comment on the application from landscape point of view.
- 11.4 DEP does not support the application as the proposed use will generate heavy goods vehicle traffic and environmental nuisance is expected. However, there was no environmental complaint concerning the Site received in the past three years. Other relevant government departments, including the Commissioner for Transport and Director of Fire Services have no objection to/no adverse comment on the application from traffic and fire safety aspects respectively. Should the application be approved, relevant approval conditions are recommended in paragraph 12.2 below to address the technical requirements of concerned government departments, and the applicant will also be advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimise potential environmental nuisances on the surrounding areas.
- 11.5 The Site is the subject of a previous application for temporary warehouse use which was approved with conditions by the Committee in 2021. However, the planning permission was subsequently revoked due to non-compliance with time-

limited approval conditions on the provision of boundary fencing and the implementation of run-in/out, drainage and FSIs proposals. Notwithstanding that, the applicant has demonstrated efforts to comply with the previous approval conditions and obtained the approval of STW and STT from LandsD. Besides, the applicant has also submitted proposals regarding run in/out, drainage and FSIs in support of the current application on which concerned departments have no adverse comments. As such, sympathetic consideration may be given to the application. The applicant will be advised that failure to comply with any of the approval conditions will result in revocation of the planning permission, and sympathetic consideration would unlikely be given to any further applications. Approval of the current application is in line with the Committee's previous decision.

- 11.6 There is one public comment providing views on the application received during the statutory publication period as summarised in paragraph 10 above. The planning considerations and assessments in paragraphs 11.1 to 11.5 above are relevant.

## **12. Planning Department's Views**

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comment mentioned in paragraph 10 above, the Planning Department considers that the proposed warehouse for a period of three years could be tolerated.
- 12.2 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 19.7.2027. The following conditions of approval and advisory clauses are also suggested for Members' reference:

### Approval conditions

- (a) the submission of a revised run-in/out proposal within **6** months from the date of the planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the Town Planning Board by 19.1.2025;
- (b) in relation to (a) above, the implementation of the revised run-in/out proposal within **9** months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the Town Planning Board by 19.4.2025;
- (c) the submission of a road widening proposal within **6** months from the date of the planning approval to the satisfaction of the Director of Highways or of the Town Planning Board by 19.1.2025;
- (d) in relation to (c) above, the implementation of the a road widening proposal within **9** months from the date of planning approval to the satisfaction of the Director of Highways or of the Town Planning Board by 19.4.2025;



- (e) the implementation of the accepted drainage proposal as proposed by the applicant 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 19.4.2025;
- (f) in relation to (e) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (g) 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 19.1.2025;
- (h) in relation to (g) 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 19.4.2025;
- (i) if the above planning condition (f) is not complied with, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if any of the above planning condition (a), (b), (c), (d), (e), (g) or (h) 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
- (k) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory clauses

The recommended advisory clauses are at **Appendix IV**.

- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the proposed use and associated filling of land are not in line with the planning intention of the "Agriculture" 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. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis.

**13. Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 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.

- 13.3 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.

**14. Attachments**

<b>Appendices I and Ia</b>	Application Form with attachments received on 5.4.2024
<b>Appendix Ib</b>	FI received on 2.5.2024
<b>Appendix Ic</b>	FI received on 8.5.2024
<b>Appendix Id</b>	FI received on 27.5.2024
<b>Appendix II</b>	Previous Applications
<b>Appendix III</b>	Government Departments' General Comments
<b>Appendix IV</b>	Recommended Advisory Clauses
<b>Appendix V</b>	Public Comment
<b>Drawing A-1</b>	Vehicular Access Plan
<b>Drawing A-2</b>	Site Layout Plan
<b>Drawing A-3</b>	Site Level
<b>Drawing A-4</b>	Run-in/out Proposal
<b>Drawing A-5</b>	Swept Path Analysis
<b>Drawing A-6</b>	Drainage Proposal
<b>Drawing A-7</b>	FSIs Proposal
<b>Drawing A-8</b>	Tree Preservation and Landscape Proposal
<b>Plan A-1a</b>	Location Plan
<b>Plan A-1b</b>	Previous Applications Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a to 4b</b>	Site Photos

**PLANNING DEPARTMENT  
JULY 2024**