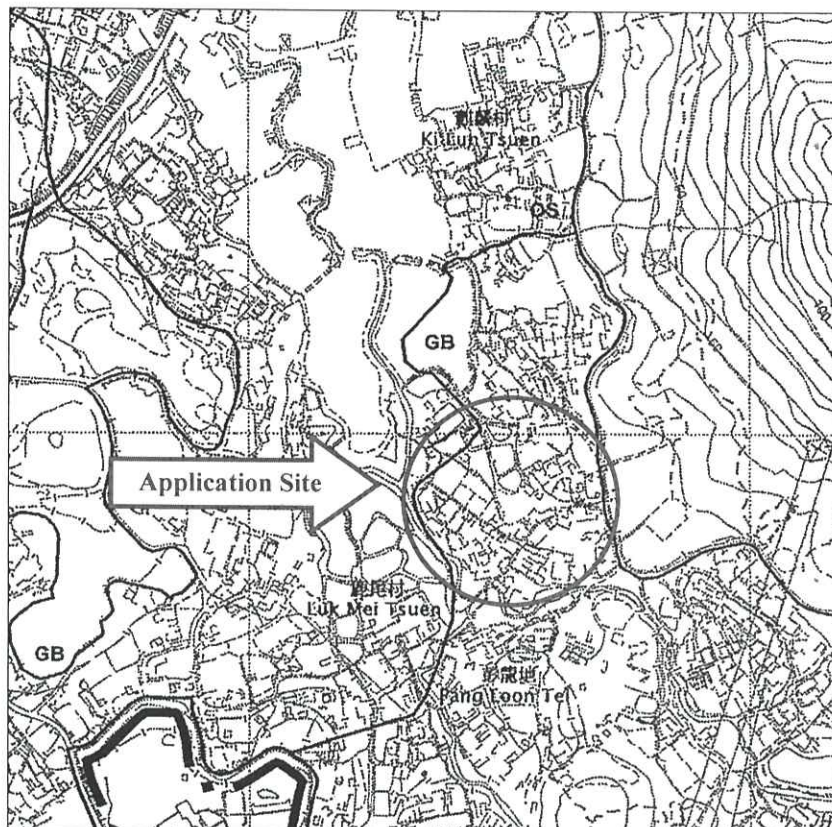


Planning Application
Under Section 16
of the Town Planning Ordinance
(Cap. 131)

**Planning Application for
A Temporary Open Storage of Construction Machinery, Planters and
Landscaping Materials with Ancillary Site Office
for a Period of Three Years and Associated Filling of Land
Lot Nos. 23, 24, 25(Part) and 26(Part) in D.D. 38 and Lot No. 803 in D.D.
46 and Adjoining Government Land
Man Uk Pin, New Territories**



Prepared by

LANBASE Surveyors Limited

March 2025

EXECUTIVE SUMMARY

The Application Site ('the Site') comprises Lot Nos. 23, 24, 25(Part) and 26(Part) in D.D. 38 and Lot No. 803 in D.D. 46 and adjoining Government Land, Man Uk Pin, New Territories. It is located about 40m to southeast of Sha Tau Kok Road – Wo Hang and about 300m northeast of Loi Tung. The Site is applied for "Temporary Open Storage of Construction Machinery, Planters and Landscaping Materials with Ancillary Site Office for a Period of 3 Years and Associated Filling of Land". The Site occupies a site area of about 2,326m², including Government Land of about 180m². In accordance with the Approved Man Uk Pin Outline Zoning Plan (OZP) No. S/NE-MUP/11 dated 27.10.2006, the Site falls within an area zoned "Agriculture" ("AGR").

A planning permission is sought to use the Site as "Temporary Open Storage of Construction Machinery, Planters and Landscaping Materials with Ancillary Site Office". Since the Site is small in scale, no adverse traffic, drainage and environmental impacts are anticipated.

The subject application is justified on the following grounds: 1) No Contravention to the Long Term Planning Intention; 2) In Line with TPB PG No. 13G; 3) Previous Planning Permission for Similar Use; 4) Compatible with Surrounding Land Uses; 5) Existence of Planning Permissions for Similar Use Near the Site; 6) No Adverse Drainage and Environmental Impacts; and 7) No Adverse Traffic Impact.

申請摘要

申請場地乃新界萬屋邊丈量約份第38約地段第23號、第24號、第25號(部份)及第26號(部份)，丈量約份第46約地段第803號及毗鄰政府土地。申請場地位於沙頭角山路-禾坑段東南面約40米及菜洞東北面約300米。現申請三年臨時規劃許可作「臨時建築機械、盆栽及園藝物料露天貯存連附屬地盤辦公室」用途及相關的填土工程。申請地段佔地約2,326平方米，包括約180平方米政府土地。是項申請地段位於萬屋邊分區計劃大綱核准圖編號S/NE-MUP/11(發表於2006年10月27日)內之「農業」地帶。

是項臨時許可申請把場地申請用作「臨時建築機械、盆栽及園藝物料露天貯存連附屬地盤辦公室」。由於場地規模細小，相信並不會引致不良的交通、渠務及環境影響。

是項申請的理由如下：1)沒有違反長遠之規劃意向； 2)符合城市規劃指引13G；3)跟以前獲批准的用途相似； 4)與附近的土地用途相融； 5)在附近已有相類似用途的規劃許可； 6)沒有不良的渠務及環境影響；及7)沒有不良的交通影響。

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Appendix 3	Location Plan
Appendix 4	Site Plan (Lot Index Plan)
Appendix 5	Proposed Layout Plan
Appendix 6	Swept Path Analysis
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1. INTRODUCTION

- 1.1 The Application Site ('the Site') comprises Lot Nos. 23, 24, 25(Part) and 26(Part) in D.D. 38 and Lot No. 803 in D.D. 46 and adjoining Government Land, Man Uk Pin, New Territories. It is located about 40m to southeast of Sha Tau Kok Road – Wo Hang and about 300m northeast of Loi Tung. According to the Approved Man Uk Pin Outline Zoning Plan (OZP) No. S/NE-MUP/11 dated 27.10.2006, the Site falls within an area zoned "Agriculture" ("AGR"). Please refer to an extract of the OZP and its relevant notes at **Appendix 1**, Location Plan at **Appendix 2** and Site Plan at **Appendix 3**.
- 1.2 The current application is applied for the use of "Temporary Open Storage of Construction Machinery, Planters and Landscaping Materials with Ancillary Site Office for a Period of 3 Years and Associated Filling of Land".
- 1.3 The Applicant has commissioned Lanbase Surveyors Limited on his behalf to submit a planning application for "Temporary Open Storage of Construction Machinery, Planters and Landscaping Materials with Ancillary Site Office for a Period of 3 Years and Associated Filling of Land" under Section 16 of the Town Planning Ordinance (Cap. 131).
- 1.4 The Planning Statement serves to describe the existing condition of the Site and its surrounding land uses, to give details of the proposed development, and to provide justifications for the Board's consideration.

2. SITE CONTEXT

2.1 Application Site

2.1.1 The Site comprises Lot Nos. 23, 24, 25(Part) and 26(Part) in D.D. 38 and Lot No. 803 in D.D. 46 and Adjoining Government Land, Man Uk Pin, New Territories. It occupies a site area of about 2,326m², including Government Land of about 180m². Please refer to Location Plan at **Appendix 3** and Site Plan at **Appendix 4**.

2.1.2 The Site is now vacant and paved.

2.2 Lease Particulars

The subject lots are held under Block Crown Lease and demised as agricultural land. The lease is virtually unrestricted, apart from offensive trade clause and will expire on 30th June 2047.

2.3 Surrounding Land Uses

2.3.1 The Site is located about 40m to southeast of Sha Tau Kok Road – Wo Hang and about 300m northeast of Loi Tung.

2.3.2 The subject area is predominantly occupied by open storages and vegetated land.

2.4 Accessibility

2.4.1 The Site is accessible from a local track connecting to Sha Tau Kok Road – Wo Hang.

2.4.2 The subject area is served by various modes of public transport including franchised buses, minibuses and taxis along Sha Tau Kok Road – Wo Hang.

3. TOWN PLANNING

- 3.1 The Site falls within an area zoned “Agriculture” (“AGR”) on the Approved Man Uk Pin Outline Zoning Plan No. S/NE-MUP/11 dated 27.10.2006. Extract of the OZP are attached at **Appendix 1**.
- 3.2 As stipulated in the Notes of the OZP, a planning permission is required by the Town Planning Board (the “Board”) for the proposed temporary use in the “AGR” zone.
- 3.3 In accordance with the Town Planning Board Guidelines No. 13G (**TPB PG-NO. 13G**) for Application for Open Storage and Port Back-up Uses, the Site is classified as “Category 2” area, which 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.
- 3.4 The Site is the subject of previous planning application No. A/NE-MUP/192 approved on 22.12.2023 for “A Temporary Open Storage of Planters and Landscaping Materials” for a Period of 3 Years. Please see the Town Planning Board’s Approval Letter at **Appendix 2**.

4. PROPOSED DEVELOPMENT

4.1 Applied Use

It is proposed to apply for the use of “Temporary Open Storage of Construction Machinery, Planters and Landscaping Materials with Ancillary Site Office for a Period of 3 Years and Associated Filling of Land”.

4.2 Site Area

The Site has an area of about 2,326m², including Government Land of about 180m².

4.3 Operation Hours

The proposed “Temporary Open Storage of Construction Machinery, Planters and Landscaping Materials with Ancillary Site Office” would be operated 24 hours a day and 7 days a week, but loading/unloading activities would only be carried out from 7:00am to 11:00pm (e.g. no night-time operation between 11:00pm and 7:00am) from Monday to Saturday during the planning approval period. There will be no loading/unloading activities on Sundays and public holidays on site.

4.4 Site Layout

There will be open storage area and temporary structures provided at Site. Two private car parking space and a loading / unloading area will also be provided. The proposed Layout Plan is provided at **Appendix 5**.

4.5 Traffic

Due to small scale of the Site and provision of loading / unloading area, no heavy traffic flow would be generated.

4.6 Drainage

The Applicant will provide proper drainage facilities at the Site. Approval condition for provision of drainage facilities is acceptable.

4.7 Landscape

As there is no existing tree and no additional open area for tree planting, no tree

preservation and planting is required.

4.8 Fire Precaution Measures

The Applicant will provide proper fire service installations at the Site. Approval condition for provision of the fire service installations is acceptable.

5. JUSTIFICATIONS

5.1 No Contravention to the Long Term Planning Intention

The planning intention of the subject “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. Basically, approval of the proposed use on a temporary basis that will not prejudice the future long term planning of the area. Therefore, the proposed development is considered not contravene to the long-term planning intention.

5.2 In Line with TPB PG No. 13G

With reference to the TPB PG No. 13G – Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses, the Site falls within Category 2 area, which 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.

5.3 Previous Planning Permission for Similar Use

The Site was granted planning permission for the similar use of “Temporary Open Storage of Planters and Landscaping Materials” under previous planning application No. A/NE-MUP/192, which was approved on 22.12.2023. The site condition is similar to its previous planning application in terms of site use and site boundary. Without major change of planning circumstances, it is considered that the Site should be allowed to continue the applied use of “Temporary Open Storage of Construction Machinery, Planters and Landscaping Materials with Ancillary Site Office”.

5.4 Compatible with Surrounding Land Uses

In fact, the locality of the Site has been generally occupied by open storages. The proposed “Temporary Open Storage of Construction Machinery, Planters and Landscaping Materials with Ancillary Site Office” is considered compatible with the surrounding uses in the area.

5.5 Existence of Planning Permission for Similar Use Near the Site

A “Temporary Logistics Centre” located next to the Site under Planning Application No. A/NE-MUP/193 was approved on 15.3.2024. Given that it is a storage use, the existing use should be allowed on the Site.

5.6 No Adverse Drainage and Environmental Impacts

The proposed “Temporary Open Storage of Construction Machinery, Planters and Landscaping Materials with Ancillary Site Office” is only a small-scaled operation. In this respect, no adverse drainage and environmental impacts are anticipated.

5.7 No Adverse Traffic Impact

5.7.1 The current application is only for the small-scaled “Temporary Open Storage of Construction Machinery, Planters and Landscaping Materials with Ancillary Site Office” with low traffic demand. There would be no containers / heavy goods vehicles entering into the Site.

5.7.2 The proposed 2 private car parking spaces are for the staff use that would generate or attract 6 trips a day during the morning peak hours, lunch time and evening peak hours respectively. There are also only 2 LGV trips per day for conducting loading/unloading activities in the morning and the afternoon time respectively.

5.7.3 The proposed temporary use is mainly for the storage use. In addition, the provision of private car parking spaces is for the staff use only and there are only 2 times loading/unloading activities per day. Therefore, the proposed 2 private car parking

spaces and 1 LGV loading/unloading space are adequate for the site.

- 5.7.4 The width of the vehicular access leading to the site is 4.6m at minimum, as shown on the Proposed Layout Plan at **Appendix 5**.
- 5.7.5 There is satisfactory maneuvering of the goods vehicles entering and exiting the subject site, maneuvering within the subject site and into/out of the parking and loading/unloading spaces, as shown on the Swept Path Analysis at **Appendix 6**.
- 5.7.6 There are only 2 times loading/unloading activities per day. Therefore, no queuing issue is anticipated. Nevertheless, as shown on the Proposed Layout Plan at **Appendix 5**, there is a 30m long vehicular access within the private lots being a waiting area for avoiding queuing up on the public road.
- 5.7.7 Sensor alarm and indication light would be provided at the entrance of the site to alert the pedestrian when vehicle pass through the site for ensuring the pedestrian safety.
- 5.7.8 Therefore, no adverse traffic impact is anticipated.

6. CONCLUSION

6.1 The Applicant seeks the Board's permission to approve this planning application for providing "Temporary Open Storage of Construction Machinery, Planters and Landscaping Materials with Ancillary Site Office for a Period of 3 Years and Associated Filling of Land" on the Site under S.16 of the Town Planning Ordinance.

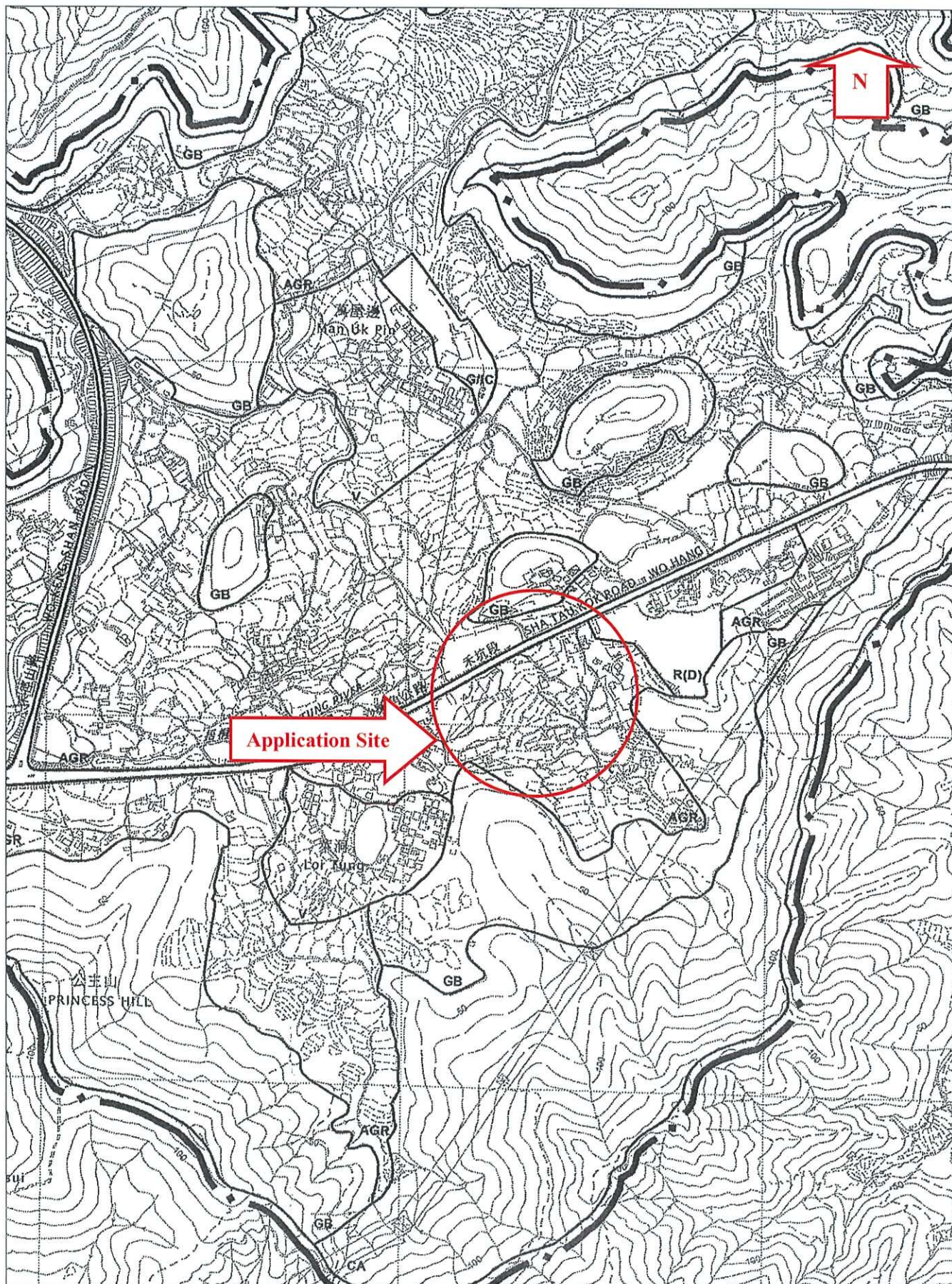
6.2 With regard to the followings:

- no contravention to the long term planning intention;
- in line with TPB PG No. 13G;
- previous planning permission for similar use;
- compatible with surrounding land uses;
- existence of planning permissions for similar use near the site;
- no adverse drainage and environmental impacts; and
- no adverse traffic impact,

the Board is recommended to approve the planning application for the use of "Temporary Open Storage of Construction Machinery, Planters and Landscaping Materials with Ancillary Site Office or a Period of 3 Years and Associated Filling of Land" on the Site.

APPENDIX 1

**Extract of Approved Man Uk Pin Outline Zoning Plan No.
S/NE-MUP/11 dated 27.10.2006 and its Relevant Notes**



For Identification Only

AGRICULTURE

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Government Use (Police Reporting Centre only) On-Farm Domestic Structure Public Convenience Religious Institution (Ancestral Hall only) Rural Committee/Village Office	Animal Boarding Establishment Barbecue Spot Burial Ground Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) House (New Territories Exempted House only, other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Picnic Area Place of Recreation, Sports or Culture (Horse Riding School, Hobby Farm, Fishing Ground only) Public Utility Installation Religious Institution (not elsewhere specified) School Utility Installation for Private Project

Planning Intention

This zone is intended 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.

Remarks

- (a) Any filling of pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the interim development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

(Please see next page)

AGRICULTURE (cont'd)

Remarks (cont'd)

- (b) Any filling of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft Man Uk Pin Outline Zoning Plan No. S/NE-MUP/9 without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance. This restriction does not apply to filling of land specifically required under prior written instructions of Government department(s) or for the purposes specified below:
- (i) laying of soil not exceeding 1.2m in thickness for cultivation; or
 - (ii) construction of any agricultural structure with prior written approval issued by the Lands Department.

APPENDIX 2

**Copy of Town Planning Board's Approval Letter for
Previous Planning Application No. A/NE-MUP/192
dated 12.1.2024**

城市規劃委員會
香港北角渣華道三百三十三號
北角政府合署十五樓

RECEIVED 15 JAN 2024

TOWN PLANNING BOARD

15/F., North Point Government Offices
333 Java Road, North Point,
Hong Kong.

傳 真 Fax: 2877 0245 / 2522 8426

電 話 Tel: 2231 4810

來函編號 Your Reference:

覆函請註明本會編號

In reply please quote this ref.: TPB/ANE-MUP/192

By Post & Fax (2739 1913)

12 January 2024

Lanbase Surveyors Ltd.
9/F, Hecny Tower
9 Chatham Road South
Tsim Sha Tsui, Kowloon
(Attn.: Rock K.M. Tsang)

Dear Sir/Madam,

**Proposed Temporary Open Storage of Planters and Landscaping Materials
and Site Office for a period of 3 years in "Agriculture" Zone, Lots 23, 24, 25 and
26 in D.D. 38 and Lot 803 in D.D. 46 and Adjoining Government Land, Man Uk Pin**

I refer to my letter to you dated 13.12.2023.

After giving consideration to the application, the Town Planning Board (TPB) approved the application for permission under section 16 of the Town Planning Ordinance on the terms of the application as submitted to the TPB. The permission shall be valid on a temporary basis for a period of 3 years until 22.12.2026 and is subject to the following conditions:

- (a) no loading/unloading activities between 11:00 p.m. and 7:00 a.m. from Monday to Saturday and at all times of Sundays and public holidays, as proposed by you, are allowed on the Site 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 TPB by 22.6.2024;
- (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 TPB by 22.9.2024;
- (d) in relation to (c) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (e) 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 TPB by 2.2.2024;
- (f) 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 TPB by 22.6.2024;

- (g) in relation to (f) 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 TPB by 22.9.2024;
- (h) if any of the above planning conditions (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;
- (i) if any of the above planning conditions (b), (c), (e), (f) or (g) 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
- (j) upon expiry of the planning permission, the reinstatement of the Site to an amenity area to the satisfaction of Director of Planning or of the TPB.

The TPB also agreed to advise you to note the advisory clauses as set out at Appendix VI of the TPB Paper.

You are reminded to strictly adhere to the time limit for complying with the above planning conditions. If any of the above planning conditions are not complied with by the specified time limit, the permission given shall be revoked without further notice and the development will be subject to enforcement action. If you wish to apply for extension of time for compliance with planning conditions, you should submit a section 16A application to the TPB no less than six weeks before the expiry of the specified time limit. This is to allow sufficient time for processing of the application in consultation with the concerned departments. The TPB will not consider any application for extension of time if the time limit specified in the permission has already expired at the time of consideration by the TPB. For details, including the total time period for compliance that might be granted, please refer to the TPB Guidelines No. 34D and 36C. The Guidelines, application form (Form No. S16A) and the Guidance Notes for applications are available at the TPB's website (<https://www.tpb.gov.hk/en/resources/index.html>), the Planning Enquiry Counters of the Planning Department (Hotline : 2231 5000) at 17/F, North Point Government Offices, 333 Java Road, North Point; 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin; and the Secretariat of the TPB at 15/F, North Point Government Offices.

Reference should also be made to the relevant documents providing guidance on the fulfillment of conditions in paragraph 2 of Annex C of the Guidance Notes on Application for Permission under Section 16 of the Town Planning Ordinance (the Guidance Notes). Your attention is particularly drawn to paragraphs 4-11 of Annex C of the Guidance Notes on how to comply with approval conditions.

This temporary permission will lapse on 23.12.2026. You may submit an application to the TPB for renewal of the temporary permission no less than two months and normally no more than four months before its expiry by completing an application form (Form No. S16-III). Application submitted more than four months before expiry of the temporary approval may only be considered based on the individual merits and exceptional circumstances of each case. For details, please refer to TPB Guidelines No. 34D. However, the TPB is under no obligation to renew the temporary permission.

For amendments to the approved development that may be permitted with or without application under section 16A, please refer to TPB Guidelines No. 36C for details.

The TPB Paper in respect of the application (except the supplementary planning statement/technical report(s), if any) is available at this link (https://www.tpb.gov.hk/en/meetings/RNTPC/Agenda/733_rnt_agenda.html) and the relevant extract of minutes of the TPB meeting held on 22.12.2023 is enclosed herewith for your reference.

Under section 17(1) of the Town Planning Ordinance, an applicant aggrieved by a decision of the TPB may apply to the TPB for a review of the decision. If you wish to seek a review, you should inform me within 21 days from the date of this letter (on or before 2.2.2024). I will then contact you to arrange a hearing before the TPB which you and/or your authorized representative will be invited to attend. The TPB is required to consider a review application within three months of receipt of the application for review. Please note that any review application will be published for three weeks for public comments.

This permission by the TPB under section 16 of the Town Planning Ordinance should not be taken to indicate that any other government approval which may be needed in connection with the development, will be given. You should approach the appropriate government departments on any such matter.

If you have any queries regarding this planning permission, please contact Mr. Tim Fung of Sha Tin, Tai Po & North District Planning Office at 2158 6237. In case you wish to consult the relevant Government departments on matters relating to the above approval conditions, a list of the concerned Government officers is attached herewith for your reference.

Yours faithfully,



(Leticia LEUNG)
for Secretary, Town Planning Board

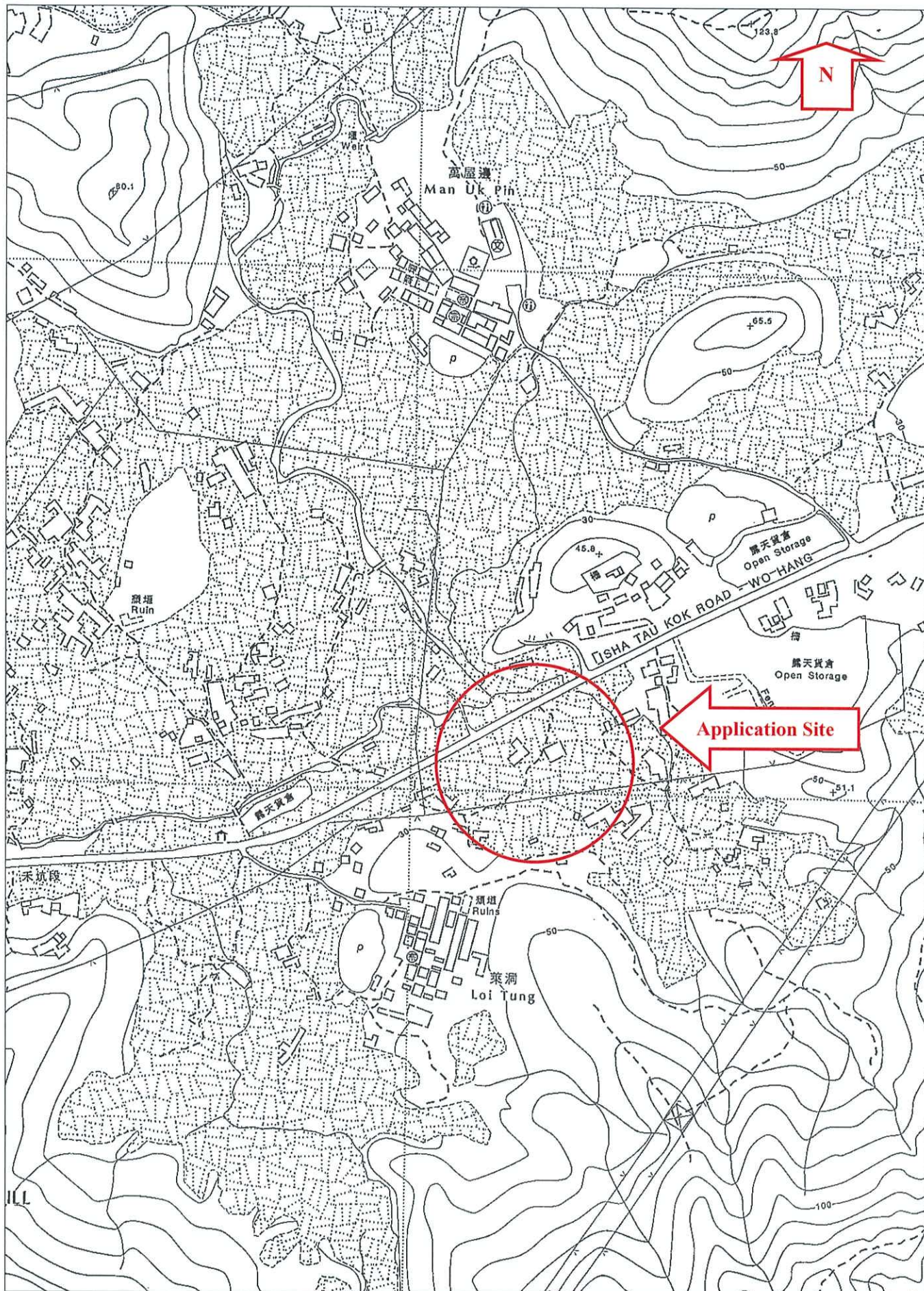
List of Government Department Contacts

(Application No. A/NE-MUP/192)

部門 Department	辦事處 Office	聯絡人姓名 Name of Contact Person	電話號碼 Telephone No.	傳真號碼 Facsimile No.
渠務署 Drainage Services Department	新界北渠務部 Mainland North Division	張飛傑先生 Mr. CHEUNG Fei Kit	2300 1439	2770 4761
消防處 Fire Services Department	策劃組 Planning Group	鄧寧志先生 Mr. TANG Ning Chi	2733 7735	2739 8775

APPENDIX 3

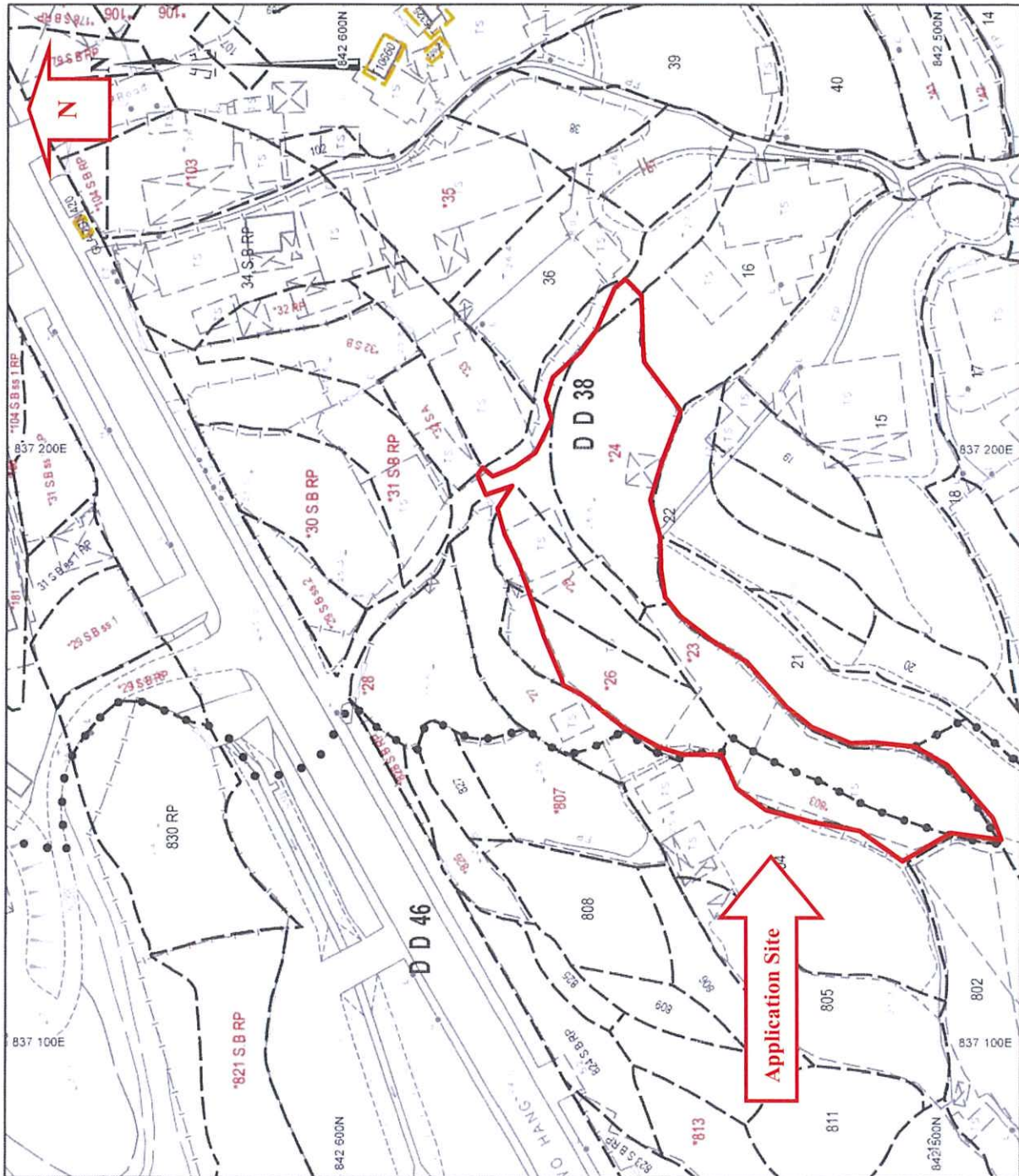
Location Plan



For Identification Only

APPENDIX 4

Site Plan (Lot Index Plan)



地政總署測繪處

Survey and Mapping Office, Lands Department

比例尺 SCALE 1:1 000

metres 10 0 10 20 30 40 50 metres



Locality : _____

Lot Index Plan No. : ags_S00000104401_0001

District Survey Office : Lands Information Center

Date : 06-Dec-2022

Reference No. : 3-NW-25D,3-NW-25B

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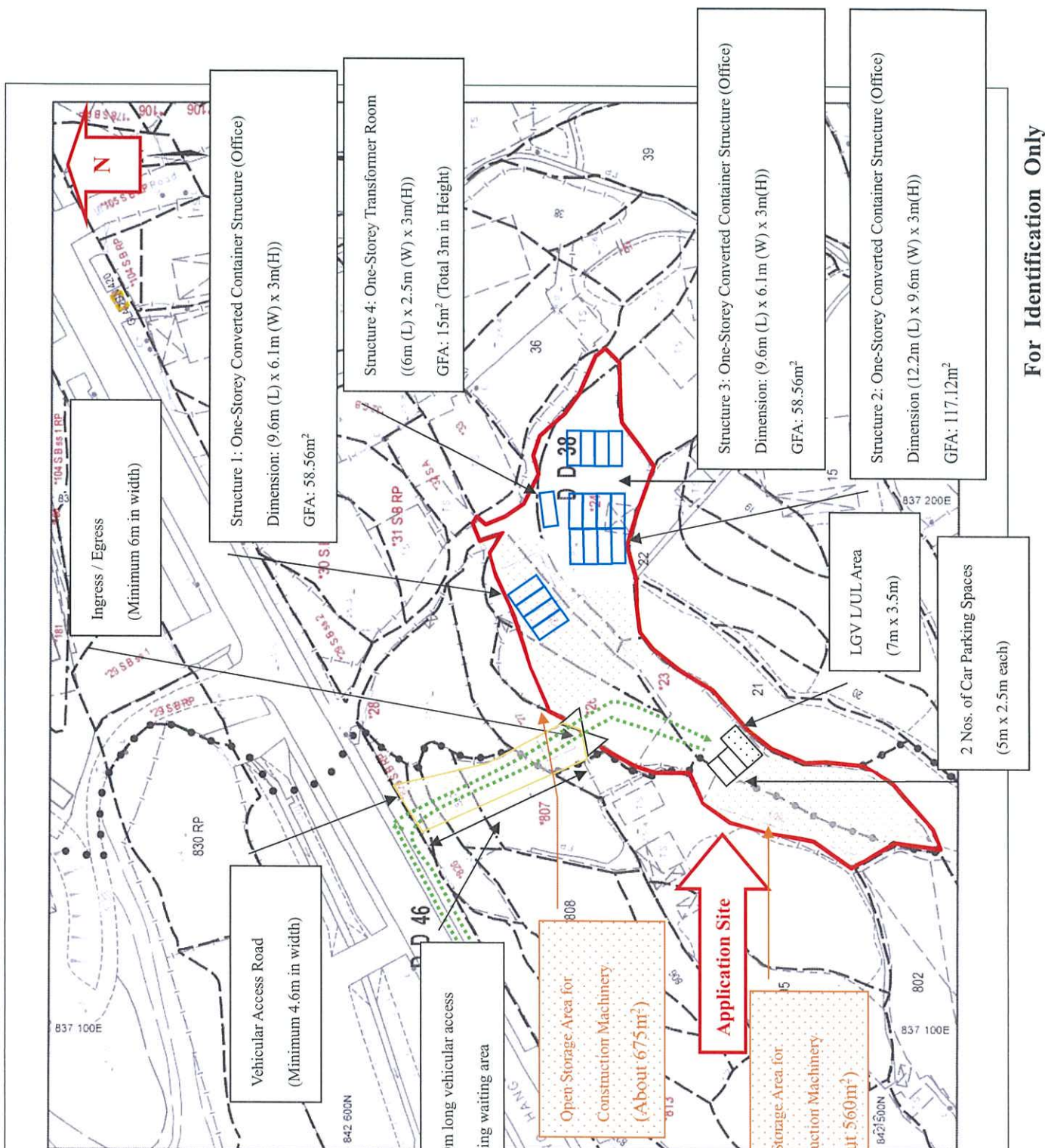
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Explanatory notes: This plan shows the graphical boundaries of different kinds of permanent and temporary land holdings with the topographic map in the backdrop. The land holdings as shown may include private lots, government land allocations, short term tenancies and other permitted uses of land. It must be noted that (1) the information shown on this plan is subject to update without prior notification, (2) there may be time lag between an update and the related changes taken place, and (3) the graphical boundaries as shown are for identification purpose only and interpretation of their accuracy and reliability requires the advice from professional land surveyor.

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APPENDIX 5

Proposed Layout Plan



地政總署測繪處

Survey and Mapping Office, Lands Department

比例尺 SCALE 1:1000

metres 10 0 10 20 30 40 50 metres

Locality :

Lot Index Plan No. : ags_S00000104401_0001

District Survey Office : Lands Information Center

Date : 06-Dec-2022

Reference No. : 3-NW-25D,3-NW-25B

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Explanatory notes : This plan shows the graphical permanent and temporary land holdings with the topographical boundaries. These land holdings may include private land, government land, and land with permitted uses. Please note: (1) The information shown on this plan is subject to update and may be time lag between an update and the related graphical boundaries as shown are for identification of their accuracy and reliability requires the advice of a professional. (2) The Government shall not be responsible for any loss or damage, however arising from the use of this plan or its incompleteness, timeliness or accuracy.

Legend

Single-Storey Converted Container

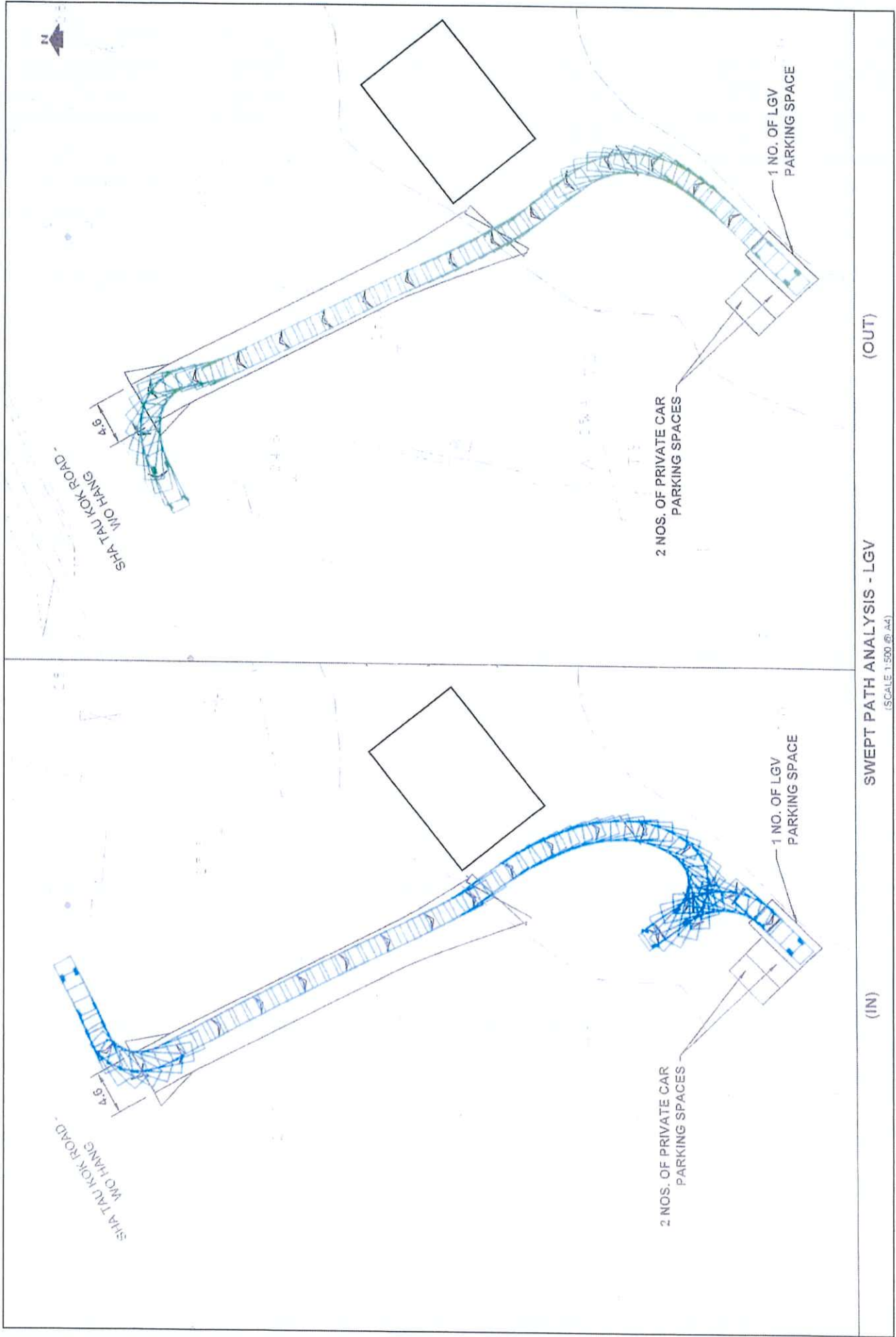
Structures for Office Use

Access Routing

For Identification Only

APPENDIX 6

Swept Path Analysis



APPENDIX 7

Site Photo

Site Photo

Application Site

