

寄件日期:

2024年04月30日星期二 12:00

收件者:

tpbpd/PLAND

From: Cheng Johnny

Subject: 有關 A/YL-PH/1002 規劃申請補充資料

煩請閣下檢閱，謝謝。

致： 城市規劃委員會
粉嶺、上水及元朗東規劃處

有關 A/YL-PH/1002
規劃申請補充資料

申請人現就近日政府部門人員的查詢，作出以下補充/澄清：

1. 申請地點已於前次規劃許可(編號 A/YL-PH/918)期間，完成了對申請地點的填土工作，相關填土工作是為平整土地，為土地使用者提供適合的平坦場地進行野戰運動，以及企業及機構作合作訓練和紀律訓練用途。
2. 澄清申請地點內作貨櫃休息室用途的構築物只作土地使用者短暫休息之用，不提供任何住宿服務。
3. 澄清申請人是協助土地使用者進行規劃申請，而並非其營運者。是次規劃申請獲批後，申請人會將申請地點提供給予土地使用者使用，申請地點的營運、打理、保養和維護，是由土地使用者負責。
4. 在上次規劃許可申請 A/YL-PH/918 的許可期內，申請人就申請地點中的構築物，在 2022 年 07 月 05 日向相關部門提交短期豁免書申請(見附件 A)，但一直到 2024 年 01 月 30 日相關部門才安排人員到申請地點進行實地視察。由於場地中的構築物至今都未能進行合法安裝，申請地點目前未能正常運作。
5. 申請地點內擬議採用水溶性且可生物降解的漆彈 (見附件 B)，同時土地使用者也會定期安排清潔人員對場地進行清理，不會對附近現有環境構成影響。
6. 提供修正的消防裝置圖則和相關圖則(見附件 C)。
7. 澄清申請地點只作臨時野戰活動中心連附屬設施用途，不會設置任何擴音器材。
8. 澄清申請地點中的構築物 B 中的臨時廁所，類型是「流動式貨櫃廁所」，自身設有配套儲糞缸，不設有化糞池及滲水系統，不會對附近環境構成負面影響。
9. 由於地段 DD111 LOT NO.2875 的業主要求收回地段北面範圍部份土地自用，因此是次申請的地盤面積和範圍與規劃許可 A/YL-PH/918 不同，出現減少的情況。
10. 澄清由於是次申請對比前次規劃許可 A/YL-PH/918 減少了一部份地盤範圍和面積，因此申請地點內的排水設施亦相應進行了少量調整，但主體排水設施位置大致不變。
11. 澄清申請地點邊界設置的綠色圍板與石躉底部設置有足夠的疏水位，不會影響和阻擋鄰近地區的地面水流。
12. 提供現有排水設施記錄(見附件 D)。

隨件附上相關文件，以作參考。

申請人： 志科有限公司

日期： 2024 年 04 月 30 日

附件 A

致： 元朗地政處
短期租約組
賴嘉佑先生

COPY

有關地段 DD111 LOT NO. 2875
申請短期豁免書事宜

2022年06月24日土地使用人獲城規會批出許可，於上述標題地段作「臨時野戰活動中心連附屬設施」用途(規劃申請編號：A/YL-PH/918)，現向貴處提出短期豁免書申請，並提供相關申請短期豁免書的上蓋位置圖及擬建構築物方案。

1. 申請所涉及的構築物位於新界元朗八鄉橫台山永寧里，地段 DD111 LOT NO. 2875 內。
2. 構築物總樓面面積約 210 平方米，詳情如下：

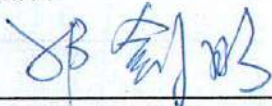
構築物編號	用途	樓面面積	高度	層數
構築物A	臨時貨櫃休息室	約30平方米	不超過4米	1
構築物B	臨時廁所及更衣室	約30平方米	不超過4米	1
構築物C	臨時貨櫃辦公室及儲物室	約120平方米	不超過7米	2
構築物D	臨時貨櫃休息室	約30平方米	不超過4米	1

3. 構築物採用臨時物料(工字鐵、鋅鐵板、貨櫃)搭建，不會使用永久性物料。

隨件附上相關文件和圖則作參考之用。

TANG MAN TSAN TSO 司理

鄧劍明



臨時通訊地址：

聯絡電話：

日期：

2022年06月27日



APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-PH/918

<u>Applicant</u>	: Chief Force Limited
<u>Site</u>	: Lots 2873 S.B (Part), 2874 (Part), 2875 (Part), 2891 (Part) and 2892 (Part) in D.D.111 Pat Heung, Yuen Long, New Territories
<u>Site Area</u>	: About 2,457m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Pat Heung Outline Zoning Plan (OZP) No. S/YL-PH/11
<u>Zoning</u>	: "Agriculture" ("AGR")
<u>Application</u>	: Proposed Temporary War Game Centre with Ancillary Facilities for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission to use the application site (the Site) for proposed temporary war game centre with ancillary facilities for a period of 3 years. The Site falls within the "AGR" zone on the Pat Heung OZP (**Plan A-1**). According to the Notes of the OZP, the proposed use is neither a Column 1 nor Column 2 use in "AGR" zone. According to the covering Notes of the OZP, temporary use or development not exceeding a period of 3 years requires planning permission from the Town Planning Board (the Board), notwithstanding that the use or development is not provided for in terms of the OZP. The Site is mostly vacant, deposited with a converted container and covered by weeds (**Plans A-2 and A-4**).
- 1.2 According to the applicant, the proposed use involves the erection of 4 one to two storey structures with building height ranging from 4m to 7m and a total floor area of about 210m² for site office, storage room, restroom, changing room and toilet. Visitors are required to make prior appointment and the Site can accommodate about 20 to 30 visitors per day. Four private car parking spaces will be provided on-site. The operation hours are from 10:00 a.m. to 7:00 p.m. daily, including public holidays. The Site is accessible from Kam Tin Road via a local access. The site layout plan submitted by the applicant is at **Drawing A-1**.
- 1.3 The Site is the subject of a previous application (No. A/YL-PH/879) (details at

paragraph 5 below).

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

- (a) Application form with supplementary information received on 27.4.2022 **(Appendix I)**
- (b) Further Information (FI) received on 2.6.2022 **(Appendix Ia)**
- (c) FI received on 11.6.2022 **(Appendix Ib)**
- (d) FI received on 13.6.2022 **(Appendix Ic)**

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the application form, supplementary information and FIs in **Appendices I to Ic**. They can be summarized as follows:

- (a) The proposed use is temporary in nature and will not frustrate the long-term planning intention of the “AGR” zone.
- (b) The Site is to provide an outdoor area for war game activities in Hong Kong and a venue for companies / organizations in organising team building and disciplinary training events.
- (c) The proposed development will not induce significant adverse traffic, environmental, drainage and fire safety impacts to the surrounding areas. Solid metal fencing will be erected at the boundary of the Site.
- (d) The applicant will endeavour to comply with all the approval conditions should the application be approved by the Rural and New Town Planning Committee (the Committee).

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

The applicant is not a “current land owner” but has complied with the requirement as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by posting a site notice and sending notice to the Pat Heung Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

The Site is the subject of a planning enforcement action (Case No. E/YL-PH/869) against

unauthorised development (UD) involving storage use (**Plan A-2**). Enforcement Notice and Reinstatement Notice were issued on 2.11.2021 and 30.3.2022 respectively to the concerned parties requiring discontinuation of the UD and reinstatement of the Site. The Planning Authority will monitor the situation and take appropriate enforcement action as appropriate.

5. **Previous Application**

The Site forms part of a previous application (No. A/YL-PH/879) for temporary shop and services (construction materials and metalware retail shop) submitted by the same applicant. The application was rejected by the Committee on 30.4.2021 mainly on considerations that the proposed development involving a large portion of the site for display of construction materials, metalware and tools in the open-air area was akin to an open storage which was not compatible with the rural character of the locality. Details of the previous application are summarized in **Appendix II** and its location is shown on **Plan A-1**.

6. **Similar Application**

There is no similar application for temporary war game centre within the same “AGR” zone in the vicinity of the Site.

7. **The Site and Its Surrounding Area (Plans A-2 to A-4)**

7.1 The Site is:

- (a) mostly vacant, deposited with a converted container and covered by weeds; and
- (b) accessible from Kam Tin Road via a local track.

7.2 The surrounding areas have the following characteristics:

- (a) to its north and northeast are grassland and graves and further northeast is the Lam Tsuen Country Park;
- (b) to its northwest and west are open storage yards and vacant land; and
- (c) to its south and southeast are open storage/ storage yards (two of which approved under Applications No. A/YL-PH/831 and 878), a residential structure/ dwelling, vacant land and the site approved for proposed temporary barbecue and picnic sites under application No. A/YL-PH/915.

8. Planning Intention

The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

9. Comments from Relevant Government Departments

9.1 Apart from the government department as set out in paragraph 9.2 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 III and IV** respectively.

9.2 The following government department has objection to / reservation on the application.

Agriculture and Nature Conservation

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

- (a) the Site falls within the “AGR” zone and is currently vacant. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are available in the vicinity of the Site, which can be used for agricultural activities such as open-field cultivation, greenhouse, plant nurseries, etc. As the Site possesses potential for agricultural rehabilitation, the development proposal falling within the “AGR” zone is not supported from agricultural perspective; and
- (b) DAFC has no comment on the application from nature conservation perspective.

10. Public Comments Received During Statutory Publication Period (Appendix V)

The application was published for public inspection. During the statutory publication period, two public comments from the Kadoorie Farm and Botanic Garden Corporation and an individual were received objecting to the application mainly on the grounds that the proposed development is not in line with the planning intention of the “AGR” zone; the Site is involved in a planning enforcement case; the proposed development would induce noise nuisance and pollution to the nearby environment; and the Site was the subject of a larger site rejected by the Committee for a different applied use.

11. Planning Considerations and Assessments

11.1 The application is for proposed temporary war game centre with ancillary facilities for a period of 3 years in the “AGR” zone. The planning intention of the “AGR” zone 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. The proposed use is not in line with the planning intention of the “AGR” zone, and DAFC does not support the application from the agriculture point of view as the Site possesses potential for agricultural rehabilitation. Nevertheless, it is considered that approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “AGR” zone.

- 11.2 The proposed use is considered not incompatible with the surrounding areas which are rural in character intermixed with open storage yards, grassland, a residential structure/dwelling and vacant land. The nearest residential dwelling is located about 40m to the south (**Plan A-2**). DEP has no objection to the application and advises that the applicant should avoid the use of public announcement system to minimize the potential noise nuisance to the nearby sensitive receivers, and provide the adequate facilities for proper collection, treatment and disposal of waste / wastewater generated.
- 11.3 Other relevant departments consulted including C for T, CE/MN of DSD, CTP/UD&L of PlanD and D of FS have no adverse comment on the application. It is envisaged that the proposed development would unlikely cause adverse traffic, drainage, landscape and fire safety impacts to the surrounding areas. According to DEP, there was no environmental complaint pertaining to the Site received in the past three years. Besides, the applicant states that boundary fencing will be provided along the site boundary and the war game activities will be confined within the fenced area. In this regard, it is not envisaged that the proposed use would generate off-site nuisance and/or disturbance to the nearby sensitive receivers. Appropriate approval conditions are also recommended in paragraph 12.2 below to minimize any potential nuisance and to address the technical requirements of concerned government departments. Any non-compliance with the approval conditions will result in revocation of the planning permission and unauthorised development on-site will be subject to enforcement action by the Planning Authority. Should the application be approved, 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’ issued by DEP.
- 11.4 The Site is the subject of a previous application (No. A/YL-PH/879) for proposed temporary shop and services rejected by the Committee in April 2021 which is not relevant to this application. There is no similar application within the same “AGR” zone in the vicinity of the Site.
- 11.5 Two public comments were received during the statutory publication period raising concerns/ objection to the application as set out in paragraph 10 above. In this regard, the departmental comments as well as the planning assessments and considerations 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 comments mentioned in paragraph 10 above, the Planning Department considered that the proposed use could be tolerated for a period of 3 years.

- 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 3 years until 24.6.2025. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) no operation between 7:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period;
- (b) the provision of boundary fence on the Site, as proposed by the applicant, 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 24.12.2022;
- (c) the implementation of the accepted 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 24.12.2022;
- (d) in relation to (c) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (e) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 24.12.2022;
- (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 24.3.2023;
- (g) If any of the above planning condition (a) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning condition (b), (c), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

Advisory clauses

The recommended advisory clauses are attached 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 development is not in line with the planning intention of the "AGR" zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification 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

Appendix I	Application form with supplementary information received on 27.4.2022
Appendix Ia	FI received on 2.6.2022
Appendix Ib	FI received on 11.6.2022
Appendix Ic	FI received on 13.6.2022
Appendix II	Previous s.16 application covering the Site
Appendix III	General departmental comments
Appendix IV	Recommended advisory clauses
Appendix V	Public comments
Drawing A-1	Site layout plan
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Site photos

**PLANNING DEPARTMENT
JUNE 2022**

附件 B

PRODUCT DESCRIPTION

Beijing FS Hi-Tech Development Co., Ltd.

产品名称	彩弹
特征	无毒、水溶性物质
材料	明胶 + PEG
颜色	蓝色、绿色、黄色、红色等
尺寸	定制
重量	3.2-3.35/谷物
用法	户外射击游戏





PRODUCT CHARACTERISTICS

These paintball bullets are specifically designed so that the outer shell or medium soft capsule breaks when hitting the body, spilling the "paint", which is nothing more than a vegetable coloring and gelatin.

Unlike many brands on the market, our product is not oil-based, Zpaint® is made from PEG, which is completely biodegradable and does not harm the environment where this sport is practiced. It also provides the great benefit of easy cleaning of clothes and surfaces, because the content of the bullets is soluble in water, unlike brands that use oil.

Most paintball capsules are 16 millimeters in diameter (.68 gauge), although some factors may cause size variation. The box has a label specifying the color of the capsule and filled.



INTERMEDIATE / TRAINING

FEATURES

Accuracy

- The outer core is specially formulated
- It has the ideal weight
- True journey from start to finish
- Its circumference is 16 mm in diameter (cal. 68)

Shell advantage

- Patented peel formula
- It breaks on impact

Marking Ability

- Specially formulated viscosity
- Capsules are classified according to their degree of cleanliness
- True color gamut of the highest quality
- It's not toxic and it's biodegradable

SHELL & FILL COLOR



USE AND STORAGE

The bullets, being a product very similar to the capsules from the pharmacy, require to be stored in strict conditions of temperature and humidity. They must be kept in a dry place at temperature between 15° and 30° C (50° to 86° F) for proper maintenance. At lower temperatures the ball hardens and could be damaged, at higher temperatures it can expand and deform.

附件 C

構築物編號	用途	樓面面積	高度	層數
構築物A	臨時貨櫃休息室	約30平方米	不超過4米	1
構築物B	臨時廁所及更衣室	約30平方米	不超過4米	1
構築物C	臨時貨櫃辦公室及儲物室	約120平方米	不超過7米	2
構築物D	臨時貨櫃休息室	約30平方米	不超過4米	1

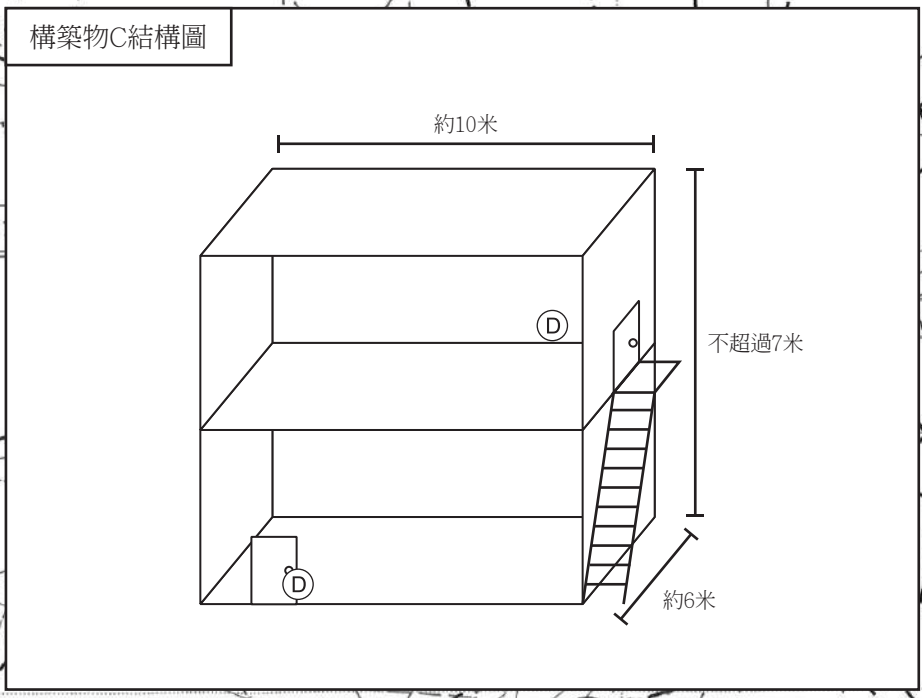


構築物A

構築物B

構築物C

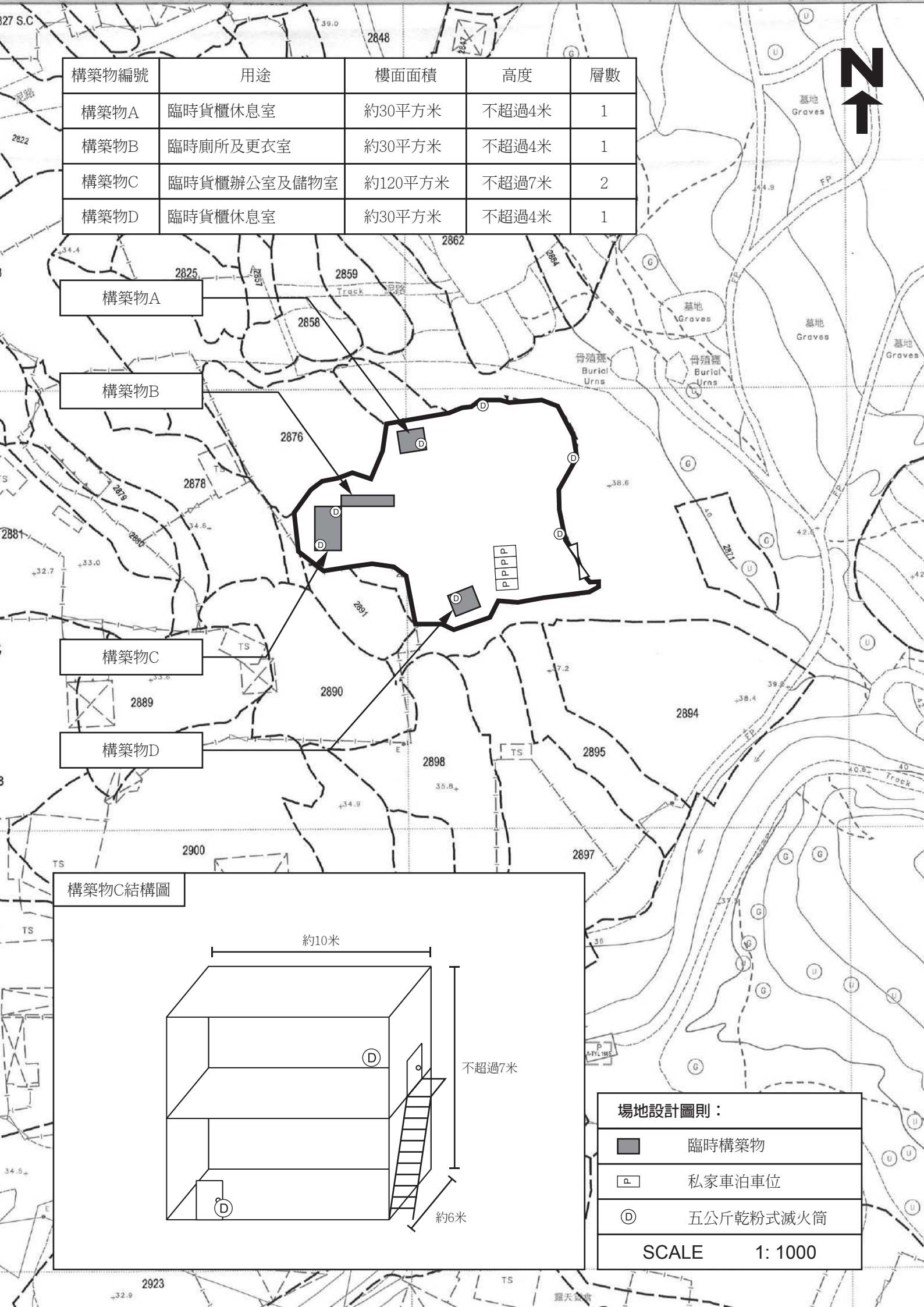
構築物D



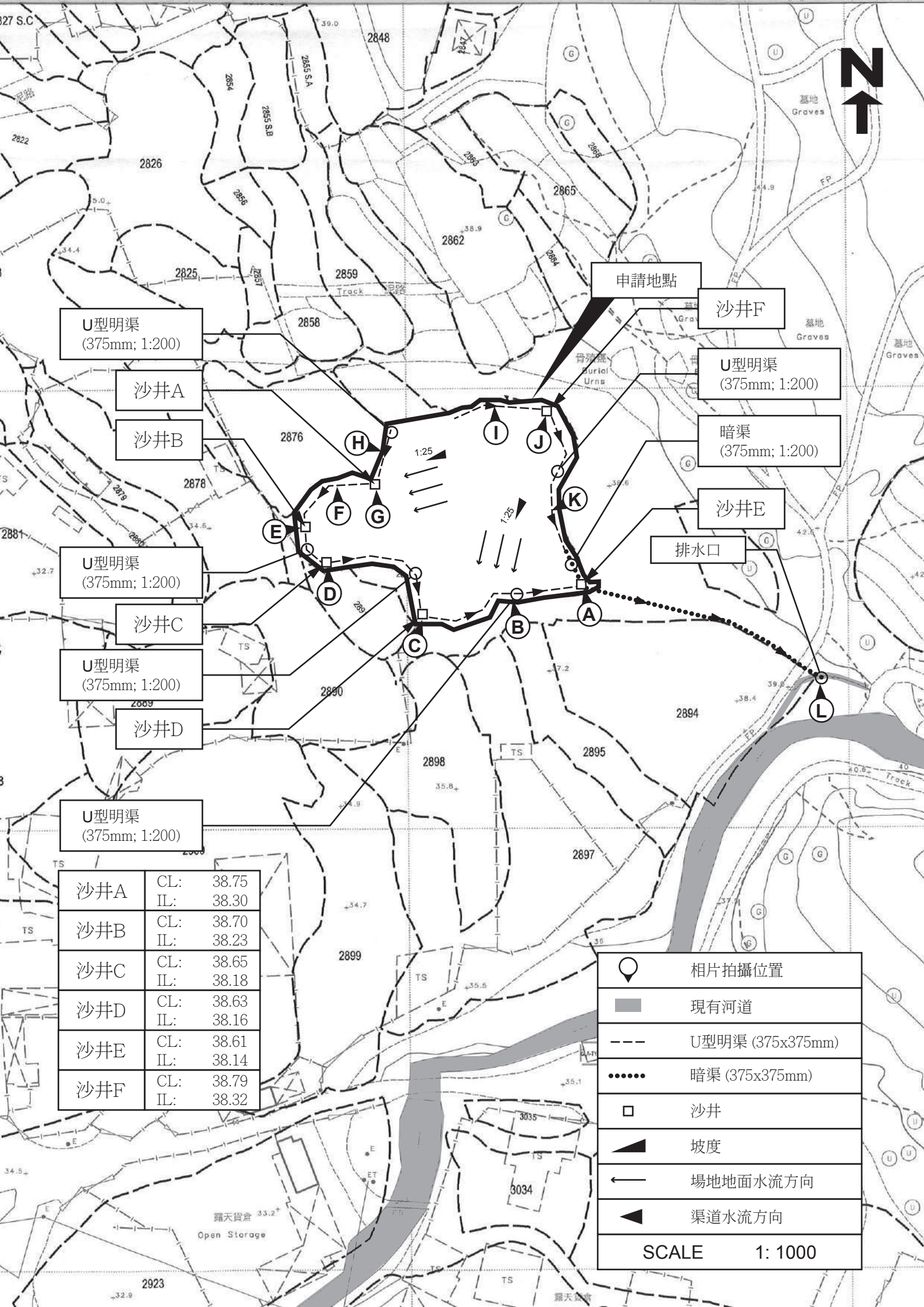
場地設計圖則：

- 臨時構築物
- 私家車泊車位
- 五公斤乾粉式滅火筒

SCALE 1: 1000



附件 D



U型明渠
(375mm; 1:200)

沙井A

沙井B

U型明渠
(375mm; 1:200)

沙井C

U型明渠
(375mm; 1:200)

沙井D

U型明渠
(375mm; 1:200)

沙井A	CL:	38.75
	IL:	38.30
沙井B	CL:	38.70
	IL:	38.23
沙井C	CL:	38.65
	IL:	38.18
沙井D	CL:	38.63
	IL:	38.16
沙井E	CL:	38.61
	IL:	38.14
沙井F	CL:	38.79
	IL:	38.32

申請地點

沙井F

U型明渠
(375mm; 1:200)

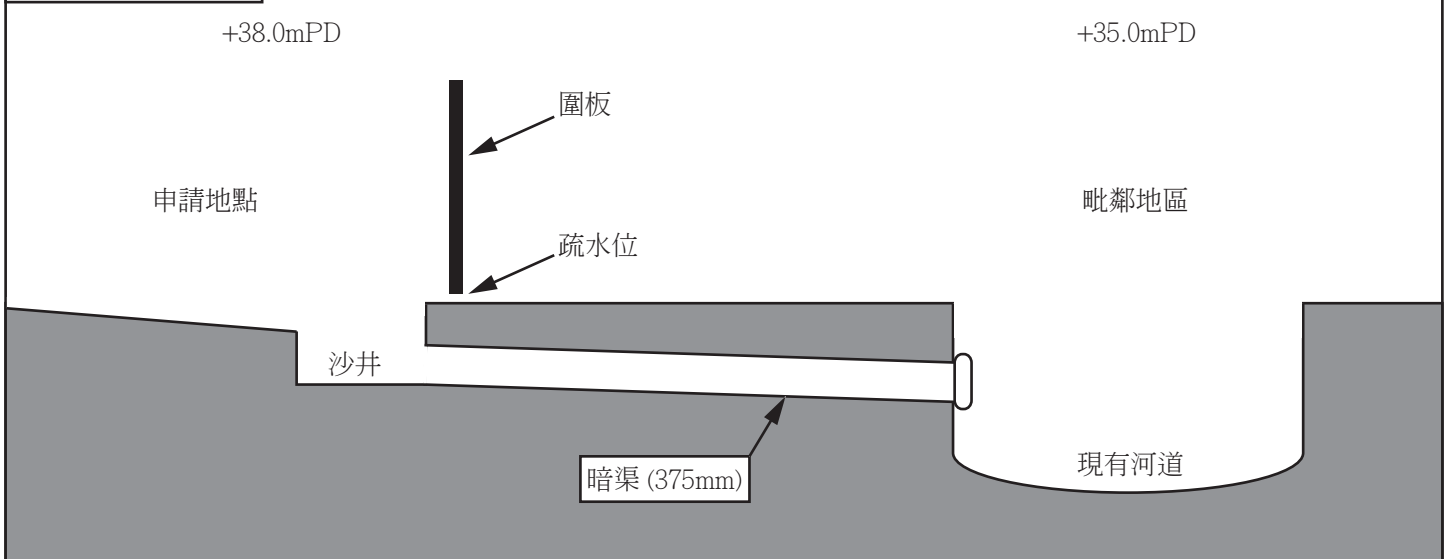
暗渠
(375mm; 1:200)

沙井E

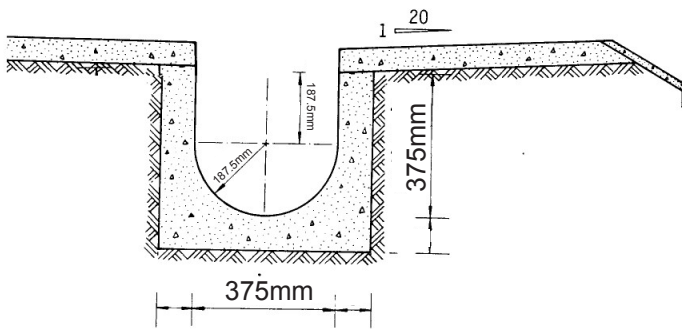
排水口

	相片拍攝位置
	現有河道
	U型明渠 (375x375mm)
	暗渠 (375x375mm)
	沙井
	坡度
	場地地面水流方向
	渠道水流方向
SCALE 1: 1000	

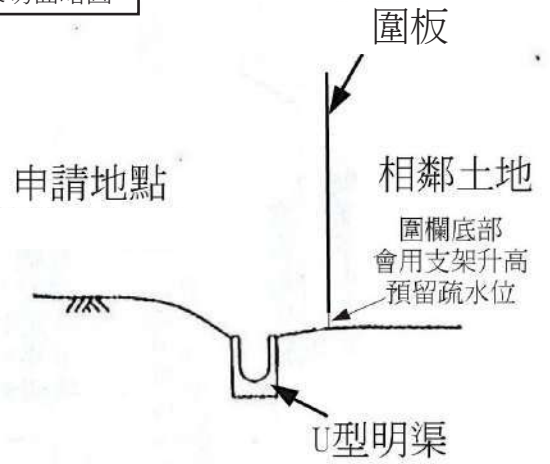
排水口橫切面圖



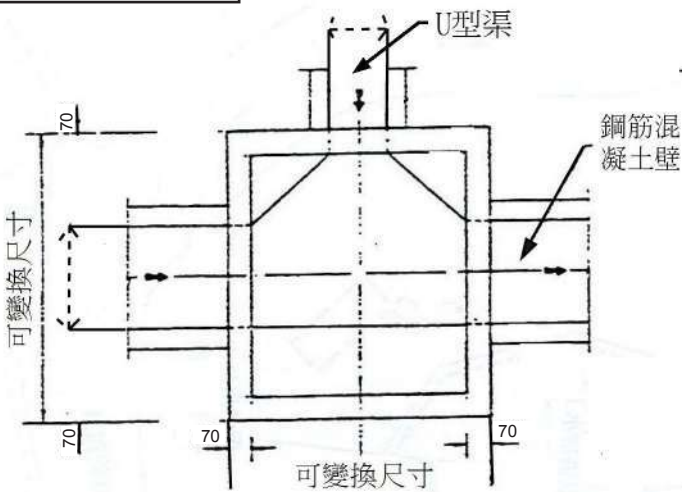
U型明渠橫切面圖



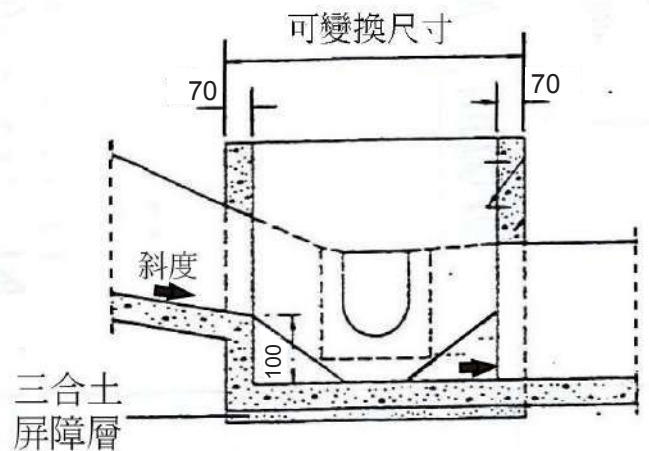
U型明渠切面略圖



沙井俯視圖



沙井切面圖















綠色圍板與石躉底部疏水位：

