

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

**APPLICATION NO. A/YL-KTN/1103**

- Applicant** : 香港建造業註冊專門工種職工會聯會 represented by 海願規劃發展公司
- Site** : Lots 422 S.B ss.1 (Part) and 422 S.B RP (Part) in D.D. 110, Kam Tin, Yuen Long, New Territories
- Site Area** : About 680m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/11
- Zoning** : “Agriculture” (“AGR”)
- Application** : Temporary Training Centre for Construction Industry and Associated Filling of Land for a Period of Three Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for temporary training centre for construction industry and associated filling of land for a period of three years at the application site (the Site), which falls within an area zoned “AGR” on the OZP (**Plan A-1**). According to the covering Notes of the OZP, temporary use or development of any land not exceeding a period of three years requires planning permission from the Town Planning Board (the Board). Filling of land in the “AGR” zone also requires planning permission from the Board. The Site is currently hard-paved, fenced-off and used for the applied use with some temporary structures without valid planning permission (**Plans A-2 and A-4**).
- 1.2 The Site is accessible from Kam Tai Road (**Plans A-1 to A-3**). According to the applicant, the applied use involves six single-storey structures with heights of not more than 7m and a total floor area of about 482m<sup>2</sup> for training area shed, ancillary office and washroom (**Drawing A-1**). The training courses to be conducted at the Site will involve operations of bricklaying, levelling, tile-laying, plastering and scaffolding, with no ground-breaking or drilling operations and no construction machinery will be involved. The applicant also applies for regularisation of filling of land for the entire Site with concrete of 0.2m in depth (to a level of 10.5mPD) for site formation of the applied use (**Drawing A-2**). No parking space or loading/unloading space will be provided at the Site. No public announcement system or any form of audio amplification system, car repairing, paint spraying, dismantling or other workshop activities will be involved. The

operation hours will be between 8:00 a.m. and 7:00 p.m. daily including Sundays and public holidays. A maximum of three training sessions involving about 16 persons each will be scheduled per day. Plans showing the site layout and land filling area submitted by the applicant are on **Drawings A-1** and **A-2** respectively.

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

- (a) Application Form with attachments received on 27.3.2025 (**Appendix I**) and 3.4.2025
- (b) Further Information (FI) received on 13.5.2025\* (**Appendix Ia**)
- (c) FI received on 16.5.2025\* (**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 FI at **Appendices I** to **Ib**, and can be summarised as follows:

- (a) The applicant is a registered labour union founded in 2020 and a construction work training course provider approved by the Labour Department (LD). The applied use at the Site is intended to provide skill training to workers with a view to alleviating manpower shortage in the construction industry.
- (b) The temporary use will not frustrate the long-term planning intention of the “AGR” zone. Adverse impact generated by the applied use is not anticipated. In support of the application, a fire service installations (FSIs) proposal has been submitted by the applicant.

## 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 Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by posting 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 currently not subject to any active planning enforcement action. The Site is currently covered by a valid planning permission under application No. A/YL-KTN/978 for proposed temporary warehouse (excluding dangerous goods godown) with ancillary facilities for a period of three years and associated filling of land until 1.3.2027. Follow-up investigation will be taken upon expiry of the current planning permission if the subject application is not approved by the Board.

## 5. **Previous Applications**

The Site is involved in six previous applications, including applications No. A/YL-KTN/341, 364, 452, 578 and 729 for temporary open storage (including one renewal of temporary approval granted) and application No. A/YL-KTN/978 for temporary warehouse with filling of land. Considerations of these applications are not relevant to the current application due to different use involved. Details of the previous applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

## 6. **Similar Application**

There is no similar application within the same “AGR” zone in the vicinity of the Site in the past five years.

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

7.1 The Site is:

- (a) hard-paved, fenced-off and used for the applied use with some temporary structures without valid planning permission; and
- (b) accessible from Kam Tai Road.

7.2 The surrounding areas are rural in character with an intermix of warehouses/open storage/storage yards (including sites with valid planning permissions under applications No. A/YL-KTN/872 and 1002), vehicle repair workshops, shop and services, residential structures and plant nursery. Adjoining the Site to the east is a vacant land within the “Industrial (Group D)” zone. To the further northeast is a transitional housing development (with valid planning permission under application No. A/YL-PH/999) separated from the Site by warehouse, vehicle repair workshop and shop and services uses, whereas to the further south is a residential development namely Seasons Villas across Kam Tai Road and a drainage reserve.

## 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 for the “AGR” zone, as filling of land may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities.

## 9. **Comments from Relevant Government Departments**

9.1 Apart from the government departments as set out in paragraph 9.2 or 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, if any, are provided at **Appendices III** and **IV** respectively.

9.2 The following government department provides views on the application:

### **Occupational Safety and Health Training**

Comments of the Commissioner for Labour (C for L):

- (a) no comment on the application;
- (b) pursuant to the Factories and Industrial Undertakings Ordinance, Cap. 59, and its subsidiary regulations, C for L is empowered to recognise six types of Mandatory Safety Training (MST) Courses run by approved training course providers (TCPs). LD has developed a set of Approval Conditions and Guidance Notes for Operating MST Courses. A TCP, among others, should run its recognised MST courses in full compliance with the requirements stipulated in the respective guidelines;
- (c) according to LD's record, the applicant is an approved TCP to conduct Mandatory Basic Safety Training Course (Construction Work) and Mandatory Basic Safety Training Revalidation Course (Construction Work). At present, the Site is not an approved training venue to run these MST courses;
- (d) the applicant has applied to conduct training courses such as brick-laying, tile-laying, scaffolding, etc., at the Site. These training courses are, however, not classified as the six MST courses and conducting these training courses does not require the approval by LD. It is the onus of the applicant to comply with all other relevant statutory requirements administrated by other government departments; and
- (e) advisory comments are at **Appendix IV**.

9.3 The following government department does not support the application:

### **Agriculture and Nature Conservation**

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

- (a) does not support the application from agricultural perspective as the Site possesses potential for agricultural rehabilitation;
- (b) the Site falls within the "AGR" zone and is a cemented vacant land with temporary structures. Agricultural infrastructures such as road access and water source are available. The Site can be used for agricultural

activities such as greenhouses, plant nurseries, etc.; and

- (c) no comment on the application from nature conservation perspective.

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

On 8.4.2025, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

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

- 11.1 The application is for temporary training centre for construction industry and associated filling of land for a period of three years at the Site zoned “AGR” (**Plan A-1**). Whilst the applied use is not in line with the planning intention of the “AGR” zone and DAFC does not support the application from agricultural perspective, the applicant is an approved TCP as advised by C for L and the applied use is intended to provide skill training to workers with a view to alleviating manpower shortage in the construction industry. According to C for L, the Site is not an approved training venue to run MST courses, and the training courses involved in the applied use are not classified as MST courses. C for L has no comment on the application. Taking into account the above and the planning assessments below, there is no objection to the applied use with associated filling of land on a temporary basis of three years.
- 11.2 Filling of land in the “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the surrounding areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department and Director of Environmental Protection have no objection to the application from public drainage and environmental planning perspectives respectively. As the Site is zoned “AGR”, an approval condition requiring the reinstatement of the Site upon expiry of the planning permission so as to uphold the planning intention of the “AGR” zone and restore the greenery of the area is recommended should the Committee decide to approve the application.
- 11.3 The applied use is considered not incompatible with the surrounding areas which are rural in character with an intermix of warehouses/open storage/storage yards, vehicle repair workshops, shop and services, residential structures, plant nursery and vacant land. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective considering that significant adverse landscape impact arising from the applied use is not anticipated.
- 11.4 Other relevant government departments consulted, including the Commissioner for Transport and Director of Fire Services, who also considers the submitted FSIs proposal acceptable, have no objection to or no adverse comment on the application. To address the technical requirements of concerned departments, appropriate approval conditions are recommended in paragraph 12.2 below. It is also recommended to advise the applicant to follow the revised ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open

Storage Sites' to minimise any potential environmental nuisance caused by the applied use.

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

- 12.1 Based on the assessments made in paragraph 11 above, PlanD has no objection to the application.
- 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 23.5.2028. The following conditions of approval and advisory clauses are also suggested for Members' reference:

### Approval Conditions

- (a) the submission of a drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 23.11.2025;
- (b) in relation to (a) above, the implementation of the drainage proposal within **9** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 23.2.2026;
- (c) in relation to (b) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the implementation of the accepted 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 23.2.2026;
- (e) if the above planning condition (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (f) if any of the above planning condition (a), (b) or (d) 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
- (g) upon expiry of the planning permission, the reinstatement of the site, including the removal of hard paving and fill materials and grassing of the site 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 applied use with associated filling of land 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, and 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**

<b>Appendix I</b>	Application Form with attachments received on 27.3.2025 and 3.4.2025
<b>Appendix Ia</b>	FI received on 13.5.2025
<b>Appendix Ib</b>	FI received on 16.5.2025
<b>Appendix II</b>	Previous applications
<b>Appendix III</b>	Government departments’ general comments
<b>Appendix IV</b>	Recommended advisory clauses
<b>Drawing A-1</b>	Site layout plan
<b>Drawing A-2</b>	Land filling plan
<b>Plan A-1</b>	Location plan
<b>Plan A-2</b>	Site plan
<b>Plan A-3</b>	Aerial photo
<b>Plan A-4</b>	Site photos

**PLANNING DEPARTMENT  
MAY 2025**