

2025年 1月 27日

此文件在 收到 城市規劃委員會  
只會在收到所有必要的資料及文件後才正式確認收到  
申請的日期。

27 JAN 2025

This document is received on  
The Town Planning Board will formally acknowledge  
the date of receipt of the application only upon receipt  
of all the required information and documents.

Form No. S16-III  
表格第 S16-III 號

**APPLICATION FOR PERMISSION  
UNDER SECTION 16 OF  
THE TOWN PLANNING ORDINANCE  
(CAP.131)**

根據《城市規劃條例》(第131章)  
第16條遞交的許可申請

**Applicable to Proposal Only Involving Temporary Use/Development of  
Land and/or Building Not Exceeding 3 Years in Rural Areas or Renewal  
of Permission for such Temporary Use or Development\***

**適用於祇涉及位於鄉郊地區土地上及/或建築物內進行為期不超過三年  
的臨時用途/發展或該等臨時用途/發展的許可續期的建議\***

*\*Form No. S16-I should be used for other Temporary Use/Development of Land and/or Building (e.g. temporary use/developments in the Urban Area) and Renewal of Permission for such Temporary Use or Development.*

*\*其他土地上及/或建築物內的臨時用途/發展(例如位於市區內的臨時用途或發展)及有關該等臨時用途/發展的許可續期，應使用表格第 S16-I 號。*

Applicant who would like to publish the notice of application in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers:  
[https://www.info.gov.hk/tpb/en/plan\\_application/apply.html](https://www.info.gov.hk/tpb/en/plan_application/apply.html)

申請人如欲在本地報章刊登申請通知，以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行土地擁有人所指定的其中一項合理步驟，請瀏覽以下網址有關在指定的報章刊登通知：  
[https://www.info.gov.hk/tpb/tc/plan\\_application/apply.html](https://www.info.gov.hk/tpb/tc/plan_application/apply.html)

**General Note and Annotation for the Form**

**填寫表格的一般指引及註解**

# "Current land owner" means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made  
「現行土地擁有人」指在提出申請前六星期，其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人

& Please attach documentary proof 請夾附證明文件

^ Please insert number where appropriate 請在適當地方註明編號

Please fill "NA" for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足，請另頁說明

Please insert a 「✓」 at the appropriate box 請在適當的方格內上加上「✓」號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/NE-TKLN/95 27 JAN 2025
	Date Received 收到日期	

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.  
申請人須把填妥的申請表格及其他支持申請的文件(倘有), 送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會(下稱「委員會」)秘書收。
- Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <http://www.info.gov.hk/tpb/>. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).  
請先細閱《申請須知》的資料單張, 然後填寫此表格。該份文件可從委員會的網頁下載(網址: <http://www.info.gov.hk/tpb/>), 亦可向委員會秘書處(香港北角渣華道 333 號北角政府合署 15 樓 - 電話: 2231 4810 或 2231 4835)及規劃署的規劃資料查詢處(熱線: 2231 5000)(香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓)索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.  
此表格可從委員會的網頁下載, 亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全, 委員會可拒絕處理有關申請。

### 1. Name of Applicant 申請人姓名/名稱

(☒ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☐ Company 公司 / ☐ Organisation 機構)

**Mr. MAN Sun Kwai, Mr. MAN Sun Choi**

### 2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☒ Company 公司 / ☐ Organisation 機構)

**Man Chi Consultants and Construction Limited (敏志顧問及建築工程有限公司)**

### 3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼(如適用)	<b>Lot 390 RP (Part) in D.D. 78 and Adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling North, New Territories</b>
(b) Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面積	<input checked="" type="checkbox"/> Site area 地盤面積 <b>338.8</b> sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 <b>178.1</b> sq.m 平方米 <input checked="" type="checkbox"/> About 約
(c) Area of Government land included (if any) 所包括的政府土地面積(倘有)	<b>125</b> sq.m 平方米 <input checked="" type="checkbox"/> About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	Approved Ta Kwu Ling North Outline Zoning Plan (OZP) No. S/NE-TKLN/2
(e) Land use zone(s) involved 涉及的土地用途地帶	"Agriculture" ("AGR")
(f) Current use(s) 現時用途	Vacant  (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

#### 4. "Current Land Owner" of Application Site 申請地點的「現行土地擁有人」

The applicant 申請人 –

- ☒ is the sole "current land owner" (please proceed to Part 6 and attach documentary proof of ownership).  
是唯一的「現行土地擁有人」 (請繼續填寫第 6 部分，並夾附業權證明文件)。
- ☐ is one of the "current land owners" (please attach documentary proof of ownership).  
是其中一名「現行土地擁有人」 (請夾附業權證明文件)。
- ☐ is not a "current land owner".  
並不是「現行土地擁有人」。

- ☐ The application site is entirely on Government land (please proceed to Part 6).  
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

#### 5. Statement on Owner's Consent/Notification

##### 就土地擁有人的同意/通知土地擁有人的陳述

- (a) According to the record(s) of the Land Registry as at ..... (DD/MM/YYYY), this application involves a total of..... "current land owner(s)".  
根據土地註冊處截至 ..... 年 ..... 月 ..... 日的記錄，這宗申請共牽涉..... 名「現行土地擁有人」。

(b) The applicant 申請人 –

- ☐ has obtained consent(s) of ..... "current land owner(s)".  
已取得..... 名「現行土地擁有人」的同意。

Details of consent of "current land owner(s)" obtained 取得「現行土地擁有人」同意的詳情		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼/處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has notified ..... “current land owner(s)”#  
已通知..... 名「現行土地擁有人」#。

Details of the “current land owner(s)” # notified 已獲通知「現行土地擁有人」#的詳細資料

No. of ‘Current Land Owner(s)’ 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where notification(s) has/have been given 根據土地註冊處記錄已發出通知的地段號碼／處所地址	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has taken reasonable steps to obtain consent of or give notification to owner(s):  
已採取合理步驟以取得土地擁有人的同意或向該人發給通知。詳情如下：

Reasonable Steps to Obtain Consent of Owner(s) 取得土地擁有人的同意所採取的合理步驟

- ☐ sent request for consent to the “current land owner(s)” on \_\_\_\_\_ (DD/MM/YYYY)&  
於\_\_\_\_\_ (日/月/年)向每一名「現行土地擁有人」#郵遞要求同意書&

Reasonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟

- ☐ published notices in local newspapers on \_\_\_\_\_ (DD/MM/YYYY)&  
於\_\_\_\_\_ (日/月/年)在指定報章就申請刊登一次通知&
- ☐ posted notice in a prominent position on or near application site/premises on \_\_\_\_\_ (DD/MM/YYYY)&  
於\_\_\_\_\_ (日/月/年)在申請地點／申請處所或附近的顯明位置貼出關於該申請的通知&
- ☐ sent notice to relevant owners’ corporation(s)/owners’ committee(s)/mutual aid committee(s)/management office(s) or rural committee on \_\_\_\_\_ (DD/MM/YYYY)&  
於\_\_\_\_\_ (日/月/年)把通知寄往相關的業主立案法團/業主委員會/互助委員會或管理處，或有關的鄉事委員會&

Others 其他

- ☐ others (please specify)  
其他（請指明）

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Note: May insert more than one 「✓」.

Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註：可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料



<b>6. Type(s) of Application 申請類別</b>															
<b>(A) Temporary Use/Development of Land and/or Building Not Exceeding 3 Years in Rural Areas</b> 位於鄉郊地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展 (For Renewal of Permission for Temporary Use or Development in Rural Areas, please proceed to Part (B)) (如屬位於鄉郊地區臨時用途/發展的規劃許可續期，請填寫(B)部分)															
(a) Proposed use(s)/development 擬議用途/發展	Proposed Temporary Shop and Services (Local Provision Store) for a Period of Three Years  (Please illustrate the details of the proposal on a layout plan) (請用平面圖說明擬議詳情)														
(b) Effective period of permission applied for 申請的許可有效期	<input checked="" type="checkbox"/> year(s) 年 ..... 3 ..... <input type="checkbox"/> month(s) 個月 .....														
<b>(c) Development Schedule 發展細節表</b> Proposed uncovered land area 擬議露天土地面積 ..... 160.7 ..... sq.m <input checked="" type="checkbox"/> About 約 Proposed covered land area 擬議有上蓋土地面積 ..... 178.1 ..... sq.m <input checked="" type="checkbox"/> About 約 Proposed number of buildings/structures 擬議建築物/構築物數目 ..... 2 ..... Proposed domestic floor area 擬議住用樓面面積 ..... N/A ..... sq.m <input type="checkbox"/> About 約 Proposed non-domestic floor area 擬議非住用樓面面積 ..... 178.1 ..... sq.m <input checked="" type="checkbox"/> About 約 Proposed gross floor area 擬議總樓面面積 ..... 178.1 ..... sq.m <input checked="" type="checkbox"/> About 約															
Proposed height and use(s) of different floors of buildings/structures (if applicable) 建築物/構築物的擬議高度及不同樓層的擬議用途 (如適用) (Please use separate sheets if the space below is insufficient) (如以下空間不足，請另頁說明)  ..... Two Local Provision Store (1 storey not more than 2.6 m in Height) ..... .....															
Proposed number of car parking spaces by types 不同種類停車位的擬議數目 <table border="0"> <tr> <td>Private Car Parking Spaces 私家車車位</td> <td>..... N/A .....</td> </tr> <tr> <td>Motorcycle Parking Spaces 電單車車位</td> <td>..... N/A .....</td> </tr> <tr> <td>Light Goods Vehicle Parking Spaces 輕型貨車泊車位</td> <td>..... N/A .....</td> </tr> <tr> <td>Medium Goods Vehicle Parking Spaces 中型貨車泊車位</td> <td>..... N/A .....</td> </tr> <tr> <td>Heavy Goods Vehicle Parking Spaces 重型貨車泊車位</td> <td>..... N/A .....</td> </tr> <tr> <td>Others (Please Specify) 其他 (請列明)</td> <td>..... N/A .....</td> </tr> <tr> <td></td> <td>..... N/A .....</td> </tr> </table>		Private Car Parking Spaces 私家車車位	..... N/A .....	Motorcycle Parking Spaces 電單車車位	..... N/A .....	Light Goods Vehicle Parking Spaces 輕型貨車泊車位	..... N/A .....	Medium Goods Vehicle Parking Spaces 中型貨車泊車位	..... N/A .....	Heavy Goods Vehicle Parking Spaces 重型貨車泊車位	..... N/A .....	Others (Please Specify) 其他 (請列明)	..... N/A .....		..... N/A .....
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Others (Please Specify) 其他 (請列明)	..... N/A .....														
	..... N/A .....														
Proposed number of loading/unloading spaces 上落客貨車位的擬議數目 <table border="0"> <tr> <td>Taxi Spaces 的士車位</td> <td>..... N/A .....</td> </tr> <tr> <td>Coach Spaces 旅遊巴車位</td> <td>..... N/A .....</td> </tr> <tr> <td>Light Goods Vehicle Spaces 輕型貨車車位</td> <td>..... N/A .....</td> </tr> <tr> <td>Medium Goods Vehicle Spaces 中型貨車車位</td> <td>..... N/A .....</td> </tr> <tr> <td>Heavy Goods Vehicle Spaces 重型貨車車位</td> <td>..... N/A .....</td> </tr> <tr> <td>Others (Please Specify) 其他 (請列明)</td> <td>..... N/A .....</td> </tr> <tr> <td></td> <td>..... N/A .....</td> </tr> </table>		Taxi Spaces 的士車位	..... N/A .....	Coach Spaces 旅遊巴車位	..... N/A .....	Light Goods Vehicle Spaces 輕型貨車車位	..... N/A .....	Medium Goods Vehicle Spaces 中型貨車車位	..... N/A .....	Heavy Goods Vehicle Spaces 重型貨車車位	..... N/A .....	Others (Please Specify) 其他 (請列明)	..... N/A .....		..... N/A .....
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	..... N/A .....														

Proposed operating hours 擬議營運時間 <b>From 8:00 a.m. to 8:00 p.m. daily (including public holidays)</b> <hr/>																																	
(d) Any vehicular access to the site/subject building? 是否有車路通往地盤／ 有關建築物？	Yes 是           No 否	<input type="checkbox"/> There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用)) <hr/> <input type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示，並註明車路的闊度) <input checked="" type="checkbox"/>																															
(e) Impacts of Development Proposal 擬議發展計劃的影響 (If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures. 如需要的話，請另頁註明可盡量減少可能出現不良影響的措施，否則請提供理據/理由。)																																	
(i) Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動？	Yes 是           No 否	<input type="checkbox"/> Please provide details 請提供詳情 <hr/> <hr/> <hr/> <input checked="" type="checkbox"/>																															
(ii) Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程？	Yes 是           No 否	<input type="checkbox"/> (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地／池塘界線，以及河道改道、填塘、填土及／或挖土的細節及/範圍)  <input type="checkbox"/> Diversion of stream 河道改道  <input type="checkbox"/> Filling of pond 填塘 Area of filling 填塘面積 .....sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填塘深度 ..... m 米 <input type="checkbox"/> About 約  <input type="checkbox"/> Filling of land 填土 Area of filling 填土面積 ..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填土厚度 ..... m 米 <input type="checkbox"/> About 約  <input type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of excavation 挖土深度 .....m 米 <input type="checkbox"/> About 約  <input checked="" type="checkbox"/>																															
(iii) Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響？	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">On environment 對環境</td> <td style="width: 10%;">Yes 會 <input type="checkbox"/></td> <td style="width: 10%;">No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On traffic 對交通</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On water supply 對供水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On drainage 對排水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On slopes 對斜坡</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Affected by slopes 受斜坡影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Landscape Impact 構成景觀影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Tree Felling 砍伐樹木</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Visual Impact 構成視覺影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Others (Please Specify) 其他 (請列明)</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input type="checkbox"/></td> </tr> </table>			On environment 對環境	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On traffic 對交通	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On water supply 對供水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On drainage 對排水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On slopes 對斜坡	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Affected by slopes 受斜坡影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Landscape Impact 構成景觀影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Tree Felling 砍伐樹木	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Visual Impact 構成視覺影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input type="checkbox"/>
On environment 對環境	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																															
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Visual Impact 構成視覺影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																															
Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input type="checkbox"/>																															

	<p>Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at breast height and species of the affected trees (if possible)</p> <p>請註明盡量減少影響的措施。如涉及砍伐樹木，請說明受影響樹木的數目、及胸高度的樹幹直徑及品種(倘可)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
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<b>(B) Renewal of Permission for Temporary Use or Development in Rural Areas</b> 位於鄉郊地區臨時用途/發展的許可續期	
(a) Application number to which the permission relates 與許可有關的申請編號	A/ _____ / _____
(b) Date of approval 獲批給許可的日期	..... (DD 日/MM 月/YYYY 年)
(c) Date of expiry 許可屆滿日期	..... (DD 日/MM 月/YYYY 年)
(d) Approved use/development 已批給許可的用途/發展	
(e) Approval conditions 附帶條件	<div> <input type="checkbox"/> The permission does not have any approval condition            許可並沒有任何附帶條件         </div> <div> <input type="checkbox"/> Applicant has complied with all the approval conditions            申請人已履行全部附帶條件         </div> <div> <input type="checkbox"/> Applicant has not yet complied with the following approval condition(s):            申請人仍未履行下列附帶條件：            _____            _____            _____            Reason(s) for non-compliance:            仍未履行的原因：            _____            _____            _____            (Please use separate sheets if the space above is insufficient)            (如以上空間不足，請另頁說明)         </div>
(f) Renewal period sought 要求的續期期間	<div> <input type="checkbox"/> year(s) 年 .....         </div> <div> <input type="checkbox"/> month(s) 個月 .....         </div>

<div>7. Justifications 理由</div> <div>The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary. 現請申請人提供申請理由及支持其申請的資料。如有需要，請另頁說明）。</div> <div><div>Please refer to the attached Planning Statement.</div><div></div></div>
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The applicant is invited to provide justifications in support of the application. Use  
現請申請人提供申請理由及支持其申請的資料。如有需要，請另頁說明）。

[illegible]

**8. Declaration 聲明**

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief.  
本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in this application and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.

本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature  
簽署

☐ Applicant 申請人 / ☐ Authorised Agent 獲授權代理人

...LIT Ying-cheung, Edward



.....Director.....

Name in Block Letters  
姓名（請以正楷填寫）

Position (if applicable)  
職位（如適用）

Professional Qualification(s) ☐ Member 會員 / ☐ Fellow of 資深會員

專業資格

☐ HKIP 香港規劃師學會 /

☐ HKIA 香港建築師學會 /

☐ HKIS 香港測量師學會 /

☐ HKIE 香港工程師學會 /

☐ HKILA 香港園境師學會 /

☐ HKIUD 香港城市設計學會

☐ RPP 註冊專業規劃師

Others 其他 .....

on behalf of

代表

...Man Chi Consultants and Construction Limited

☒ Company 公司 / ☐ Organisation Name and Chop (if applicable) 機構名稱及蓋章（如適用）

Date 日期...29.12.2024..... (DD/MM/YYYY 日/月/年)

**Remark 備註**

The materials submitted in this application and the Board's decision on the application would be disclosed to the public. Such materials would also be uploaded to the Board's website for browsing and free downloading by the public where the Board considers appropriate.

委員會會向公眾披露申請人所遞交的申請資料和委員會對申請所作的決定。在委員會認為合適的情況下，有關申請資料亦會上載至委員會網頁供公眾免費瀏覽及下載。

**Warning 警告**

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance.

任何人在明知或故意的情況下，就這宗申請提出在任何要項上是虛假的陳述或資料，即屬違反《刑事罪行條例》。



**Statement on Personal Data 個人資料的聲明**

1. The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes:  
委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：
  - (a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and  
處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及
  - (b) facilitating communication between the applicant and the Secretary of the Board/Government departments.  
方便申請人與委員會秘書及政府部門之間進行聯絡。
2. The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.  
申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。
3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.  
根據《個人資料(私隱)條例》(第 486 章)的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道 333 號北角政府合署 15 樓。

## Gist of Application 申請摘要

(Please provide details in both English and Chinese as far as possible. This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.)

(請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及於規劃署規劃資料查詢處供一般參閱。)

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)
Location/address 位置/地址	Lot 390 RP ( Part) in DD 78 and Adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling North, New Territories 新界北區打鼓嶺松園下丈量約份第78約地段第390號餘段(部份)及毗連政府土地
Site area 地盤面積	338.8 sq. m 平方米 <input checked="" type="checkbox"/> About 約 (includes Government land of 包括政府土地 125 sq. m 平方米 <input checked="" type="checkbox"/> About 約)
Plan 圖則	Approved Ta Kwu Ling North Outline Zoning Plan No. S/NE-TKLN/2 打鼓嶺北分區計劃大綱核准圖(編號:S/NE-TKLN/2)
Zoning 地帶	"Agricultural" ("AGR") 「農業」地帶
Type of Application 申請類別	<input checked="" type="checkbox"/> Temporary Use/Development in Rural Areas or Regulated Areas for a Period of 位於鄉郊地區或受規管地區的臨時用途/發展為期 <input checked="" type="checkbox"/> Year(s) 年 <u>3</u> <input type="checkbox"/> Month(s) 月 _____  <input type="checkbox"/> Renewal of Planning Approval for Temporary Use/Development in Rural Areas or Regulated Areas for a Period of 位於鄉郊地區或受規管地區臨時用途/發展的規劃許可續期為期 <input type="checkbox"/> Year(s) 年 _____ <input type="checkbox"/> Month(s) 月 _____
Applied use/ development 申請用途/發展	Proposed Temporary Shop and Services (Local Provision Store) for a period of Three Years 擬議臨時商店及服務行業(士多)(為期三年)

(i) Gross floor area and/or plot ratio 總樓面面積及／或地積比率		sq.m 平方米	Plot Ratio 地積比率
	Domestic 住用	<b>N/A</b> <input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<b>N/A</b> <input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
	Non-domestic 非住用	<b>178.1</b> <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<b>0.53</b> <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
(ii) No. of block 幢數	Domestic 住用	<b>N/A</b>	
	Non-domestic 非住用	<b>2</b>	
(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	<b>N/A</b>	m 米 <input type="checkbox"/> (Not more than 不多於)
		<b>N/A</b>	Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於)
	Non-domestic 非住用	<b>2.6</b>	m 米 <input checked="" type="checkbox"/> (Not more than 不多於)
		<b>1</b>	Storeys(s) 層 <input checked="" type="checkbox"/> (Not more than 不多於)
(iv) Site coverage 上蓋面積	<b>52.6</b> % <input checked="" type="checkbox"/> About 約		
(v) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數  Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明) _____ _____		<b>N/A</b>
	Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位／停車處總數  Taxi Spaces 的士車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明) _____ _____		<b>N/A</b>

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件		
	<u>Chinese</u> 中文	<u>English</u> 英文
<b><u>Plans and Drawings 圖則及繪圖</u></b>		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b><u>Location plan, Lot index plan, Outline Zoning Plan extract, Site photos</u></b>		
<b><u>Reports 報告書</u></b>		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估（噪音、空氣及／或水的污染）	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input type="checkbox"/>	<input type="checkbox"/>
Note: May insert more than one 「✓」. 註：可在多於一個方格內加上「✓」號		

Note: The information in the Gist of Application above is provided by the applicant for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

註：上述申請摘要的資料是由申請人提供以方便市民大眾參考。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。



## Section 16 Planning Application

Proposed Temporary Shop and  
Services (Local Provision Store) for a  
Period of Three Years

Lot 390 RP (Part) in D.D. 78 and  
Adjoining Government Land, Tsung  
Yuen Ha, Ta Kwu Ling North, New  
Territories

### *Planning Statement*

Address:



Prepared by

**Man Chi Consultants And Construction Limited**

December 2024



## EXECUTIVE SUMMARY

*(In case of discrepancy between English and Chinese versions, English shall prevail)*

This Planning Statement is submitted to the Town Planning Board (hereinafter referred to as “the Board”) in support of a planning application (hereinafter referred to as “the current application”) for **Proposed Shop and Services (Local Provision Store) for a Period of Three Years** (hereinafter referred to as “the proposed use”) at Lot 390 RP (Part) in D.D. 78 and Adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling North, New Territories (hereinafter referred to as “the application site”). The application site has a total area of about 338.8m<sup>2</sup>. The Planning Statement serves to provide background information and planning justifications in support of the proposed use in order to facilitate the consideration by the Board.

The application site falls within an area zoned “Agriculture” (“AGR”) on the approved Ta Kwu Ling North Outline Zoning Plan (OZP) No. S/NE-TKLN/2, which was gazetted on 13.05.2016 (hereinafter referred to as “the Current OZP”). Temporary use of the application site not exceeding a period of three years requires planning permission from the Board. As detailed throughout this Planning Statement, the proposed use is well justified on the grounds that: -

- (a) The proposed use can help the Tsung Yuen Ha Village (the Village) to tap into the opportunity brought by the development in the surrounding areas and support the development of the Village;*
- (b) The proposed use at the application site meets the unique needs of the villagers for development of the Village, which would enhance their living condition;*
- (c) The application site is already land-locked by the Lin Ma Hang Road and two public carparks. In the absence of river and, stream, the chance for re-inhabitation of agricultural activities is very slim;*
- (d) The application site located in the close proximity of the Heung Yuen Wai Control Point (HYW BCP), Lin Ma Hang Road and two public carparks. It has a prime location and is ideal for the proposed use in serving the neighbourhood as well as the passengers crossing the HYW BCP;*
- (e) The temporary nature would not jeopardize the planning intention of “AGR” zone;*
- (f) The proposed use at the application site is not incompatible with the surrounding area in terms of land uses; and*
- (g) No adverse traffic, landscape and drainage impact is anticipated from the proposed use, as of its small scale.*

In view of the above and the list of detailed planning justifications in the Planning Statement, it is sincerely hoped that members of the Board will give favourable consideration to approve the current application for the proposed use for a temporary period of 3 years.

## 行政摘要

此規劃報告書在支持一宗遞交予城市規劃委員會（以下簡稱「城規會」）的規劃申請（以下簡稱「該申請」），作**擬議臨時商店及服務行業（士多）（為期三年）**（以下簡稱「擬議用途」）。該申請所涉及地點位於新界北區打鼓嶺松園下丈量約份第 78 約地段第 390 號餘段及毗連政府土地（以下簡稱「申請地點」）。申請地點的面積約為 338.8 平方米。此規劃報告書提供該申請的背景資料及規劃理據以支持擬議用途供城規會考慮。

申請地點於 2016 年 5 月 13 日刊憲公佈的打鼓嶺北分區計劃大綱核准圖（編號：S/NE-TKLN/2）內被劃為「農業」用途地帶。臨時性質的用途不超過三年須向城規會提出申請。此規劃報告書內詳細闡述擬建用途的規劃理據，當中包括：-

- （一） 擬議用途有助松園下村善用周遭地區發展的機遇，支持松園下村發展；
- （二） 申請地點的擬議用途符合松園下村村民及發展的需要，能提升他們的居住環境；
- （三） 申請地點已經被蓮麻坑路及兩個公眾停車場包圍。欠缺小河或溪流；能夠恢復作為農業活動的機會不大；
- （四） 申請地點座落位於有毗連的香園圍邊境管制站，蓮麻坑路及兩個公眾停車場。因此是一個最理想及最適當地點提供擬議地用途給與附近村民及利用香園圍邊境管制站出入境的旅客；
- （五） 擬議用途的臨時性質不會妨礙落實大綱核准圖中「農業」地帶的長遠規劃意向；
- （六） 申請地點的擬議用途與鄰近的鄉郊環境特質及附近土地用途並非不協調；
- （七） 因為申請地點的面積較小故此擬議用途不會對交通、景觀及排水構成重大負面影響。

鑑於以上及此規劃報告書所提供的詳細規劃理據，懇請城規會各委員批准該申請作為期三年擬議用途。

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# 1 INTRODUCTION

## 1.1 Purpose

- 1.1.1 Pursuant to section 16 of the Town Planning Ordinance (TPO) (Cap. 131), this *Planning Statement* is submitted to the Town Planning Board (hereinafter referred to as “the Board”) in support of a planning application (hereinafter referred to as “the current application”) for **Proposed Temporary Shop and Services (Local Provision Store) for a Period of Three Years** (hereinafter referred to as “the proposed use”) at Lot 390 RP (Part) in D.D.78 and adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling, North, New Territories (hereinafter referred to “the application site”). The Planning Statement serves to provide background information and planning justifications in support of the proposed use in order to facilitate the consideration by the Board.
- 1.1.2 The application site with a site area of about 338.8m<sup>2</sup> falls within an area zoned “Agriculture” (“AGR”) on the approved Ta Kwu Ling North Outline Zoning Plan (OZP) No. S/NE-TKLN/2 gazetted on 13.05.2016 (hereinafter referred to as “the Current OZP”). As stipulated in (11)(b) of the covering Notes of the Current OZP, “...*temporary use or development of any land or building not exceeding a period of three years requires permission from the Town Planning Board. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years...*”. In this connection, the Applicants wish to seek planning permission from the Board for the proposed use on a temporary basis of three years.
- 1.1.3 Prepared on behalf of the registered owners of the application site (hereafter referred to as “the Applicants”), Man Chi Consultants and Construction Limited have been commissioned to prepare and submit the current application.

## 1.2 Background

- 1.2.1 The application site is located in Tsung Yuen Ha, Ta Kwu Ling North, a Recognised Village under the Lands Department. Since the area was previously restricted under the Frontier Closed Area (FCA), villagers are living in a remote area with a lack of local retail and community facilities to cater their daily needs. In order to improve their living conditions, villagers from Heung Yuen Wai area, in particular the elderly, have long been requesting for the provision of local retail and community facilities in the area to support their daily needs.
- 1.2.2 According to the Applicants, the population of Tsung Yuen Ha Village (the Village) is mainly formed by indigenous villagers from the 7 Tsos of about 800 residents, including about 200 usual residents living in the Village (equivalent to about 60



households) and about 600 mobile residents living in other areas in Hong Kong or overseas. Among the 600 mobile residents, around 100 of them are living in Tai Po, Sheung Shui, Fanling and other areas in North District and frequently return to the Village for family and social gatherings. As anticipated by the Applicants, more non-indigenous villagers may move in the area as well as more mobile residents may relocate to the Village or visit the area more often after the FCA reduction in 2016 and the resume of service of the HYW BCP in the current post-COVID era. As such, the Applicants wish to utilise his own vacant land to offer a proper site for the provision of local retail and community facilities in order to provide support to the local communities.

- 1.2.3 In view of the Heung Yuen Wai Control Point (HYW BCP) has fully commissioned in February 2023 and a clear aspiration of developing New Territories North (NTN) was demonstrated under the Preliminary Feasibility Study on Developing the NTN (the Study) in 2017, the application site, which fell within Heung Yuen Wai Potential Development Area under the Study, could be utilized for the proposed use to help the nearby villages/villagers to tap into the opportunity brought by the development in the surrounding areas and support the development of the villages.
- 1.2.4 The bus terminus of KMB 79 K (Sheung Shui to Tsung Yuen Ha and a Green Mini-bus 53K stop are located at the opposite site of the application site. To provide a local provision store in the application site will definitely help the villagers/residents to purchase the local retails/daily needs. Moreover, the passengers get off from the KMB-79K and Green Mini-bus also have a chance to buy daily supplies, such, drinks, snacks or any other small stuffs before crossing the Heung Yuen Wai Control Point (HYW BCP).

### 1.3 Objectives

- 1.3.1 The current application strives to achieve the following objectives:

- (a) To give an opportunity to the Applicants to utilise the application site to serve the needs of the villagers and in support of village development;*
- (b) To tap into the opportunity brought by the future development in the surrounding areas and support the development of the villages;*
- (c) To maximize land utilization in an area with great locational advantage in terms of the proximity to the Village; and*
- (d) To induce no adverse traffic, environmental, drainage nor infrastructural impacts on its surroundings.*

### 1.4 Structure of the Planning Statement

- 1.4.1 This Planning Statement is divided into 6 chapters. **Chapter 1** is the above introduction outlining the purpose and background of the current application.

**Chapter 2** gives background details of the application site in terms of the current land-use characteristics and neighbouring developments. Planning context of the application site is reviewed in **Chapter 3** whilst **Chapter 4** provides details of the proposed use as well as its design. A full list of planning justifications is given in **Chapter 5** whilst **Chapter 6** summarizes the concluding remarks for the proposed use.

## 2 SITE PROFILE

### 2.1 Location and Current Condition of the Application Site

- 2.1.1 The application site has an area of about 338.8m<sup>2</sup> comprising about 213.8m<sup>2</sup> of private land and about 125m<sup>2</sup> of Government land. The location of the application site is shown in **Figure 1** whilst **Figure 2** indicates the relevant private lots and Government land which the application site involves.
- 2.1.2 As shown in **Figure 1**, the application site is located to the north of the major village cluster of Tsung Yuen Ha in Ta Kwu Ling North, and adjacent to the HYW BCP. This area, including the application site and the Village, has been released from the FCA since 2016 but still in a rather remote location. The Village is benefited by the commission of HYW BCP, which is now accessible via franchised bus and Green Minibus.
- 2.1.3 The application site is abutting a local track connecting Lin Ma Hang Road. It joins Ping Che Road in the south and Man Kam To Road in the west. Lin Ma Hang Road also links with Heung Yuen Wai Highway (HYWH) which commenced operation on 26.5.2019.
- 2.1.4 The application site currently is flat, hard paved and largely vacant. Illustration 1 indicates the current conditions of the application site and its surrounding areas.
- 2.1.5 The application is already hard-paved. More importantly, the application site is land-locked by the Lin Ma Hang Road and two public carparks. In the absence of river and stream, the chance for re-inhabitation of agricultural activities is very slim;

### 2.2 Surrounding Land-use Characteristics

- 2.2.1 The application site is predominantly semi-rural in character. To the north of the application site are single-storey temporary structures occupied by shops, canteens and offices with valid planning permission under approved planning application Nos. A/NE-TKLN/22 and 39. To the further north is the FCA. To the immediate east of the application site is a temporary public vehicle park owned and managed by the Applicants with valid planning permission under approved planning application No. A/NE-TKL/37. A nullah, known as the Heung Yuen Wai Stream (Kong You Stream), is situated to the further east. To the south is a piece of land covered by vegetation. To the further southeast across the nullah is a residential cluster of the village, i.e. Tsung Yuen Ha Tsuen. To the immediate west is the Ta Kwu Ling (Tsung Yuen Ha) Bus Terminus offering bus service to and from Sheung Shui with a pedestrian subway connecting the Passenger Terminal Building and Public Transport Interchange of the HYW BCP. To the further west across Lin Ma Hang Road is the HYW BCP.
- 2.2.2 Given that similar uses are found in the surrounding areas and the application site is in close proximity to the existing village houses, the proposed use is considered not incompatible with the surrounding semi-rural environment. The application site is

within walking distance from the village cluster of Tsung Yun Ha and is thus at an advantageous location to serve villagers.

## **2.3 Heung Yuen Wai Boundary Control Point**

- 2.3.1 HYW BCP is a key boundary control infrastructure between Hong Kong and Mainland China providing direct access for both cargo and passenger. The HYW BCP is designed to strengthen the cross-boundary transport connectivity by handling a daily capacity of 30,000 passengers and 17,850 vehicles to and from the Liangtang Port of Shenzhen. Since the fully commission of HYW BCP in February 2023, alternative accesses including new public transport routes, motorists travelling via Heung Yuen Wai Highway and pedestrian subway via Lin Ma Hang Road are provided within the area for public accessing the HYW BCP. The development of the HYW BCP and its associated improvement in access arrangement in particular the traffic improvement/management measures have brought significant changes to the character of the area.
- 2.3.2 Taking account of the close proximity to the HYW BCP, it is anticipated that the Village will be largely benefited from the opportunities brought by the development of HYW BCP. With a view in improving and upgrading the area, there is a robust need for setting up of a local provision store in the area to benefit the villagers as well as the passengers crossing the HYW BCP.



### 3 PLANNING CONTEXT

#### 3.1 The Current OZP

- 3.1.1 The application site falls within an area zoned “AGR” on the Current OZP (please refer to **Figure 3**). According to the Notes of the Current OZP, 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.”*
- 3.1.2 According to the Definition of Terms endorsed by the Board and the Notes of the Current OZP, local provision store is regarded as ‘Shop and Services’ and neither of the uses is a Column 1 nor Column 2 use in the “AGR” zone of the Current OZP. As stipulated in (11)(b) of the Notes of the Current OZP, *“...temporary use or development of any land or building not exceeding a period of three years requires permission from the Town Planning Board. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years...”*. In this connection, the current application is herewith made to the Board for consideration of the proposed use on a temporary basis for a period of three years.

#### 3.2 Development Strategy on Developing the New Territories North

- 3.2.1 A clear aspiration of developing NTN was demonstrated under the Preliminary Feasibility Study on Developing the NTN in 2017. Further in 2021, it is proposed under the Northern Metropolis Development Strategy that the Heung Yuen Wai area will be a part of the NTN New Town and a railway station along the Northern Link Eastward Extension is envisaged near the HYW BCP to further enhance the transport connection with other development nodes in NTN. The Northern Metropolis Development Strategy has also proposed to study the feasibility of relocating the fresh food boundary-crossing and inspection facilities at the Man Kam To Control Point and the Sheung Shui Slaughterhouse to land adjacent to HYW BCP. In view of all these upcoming proposals, the character of the Heung Yuen Wai area is anticipated to change significantly in the future.

#### 3.3 Previous Planning Applications

- 3.3.1 The application site is not subject to any previous planning applications.

### 3.4 Similar Planning Applications

3.4.1 There is no similar application within the “AGR” zone on the Current OZP.

3.4.2 The Board in recent years has approved numerous s.16 planning applications for proposed temporary office and/or shop and services in “AGR” zones in New Territories which carry similar nature as that of the proposed use under the current application. Details of the 9 similar approved applications are listed in **Table 1** below. Considering all the similar applications in New Territories, approval of the current application would not set an undesirable precedent to other similar applications.

*Table 1: Similar Approved s.16 Applications for Temporary Office and/or Shop and Services in “AGR” Zones in New Territories since 2021*

Planning Application No.	Proposed Use	OZP	Zoning	Decision Date
A/YL-KTN/760	Proposed Temporary Office for Permitted Agricultural Use for a Period of 3 Years and Filling of Land	S/YL-KTN/9	“Agriculture”	14/05/2021
A/YL-KTS/900	Temporary Shop and Services for a Period of 3 Years and Filling of Land	S/YL-KTS/15	“Agriculture”	24/09/2021
A/YL-SK/318	Proposed Temporary Shop and Services for a Period of 3 Years and Land Filling	S/YL-SK/9	“Agriculture”	26/11/2021
A/NE-TK/743	Proposed Temporary Shop and Services (Store) for a Period of 3 Years	S/NE-TK/19	“Agriculture”	20/05/2022
A/NE-MUP/167	Proposed Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	S/NE-MUP/11	“Agriculture”	24/06/2022
A/NE-LT/728	Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) with Ancillary Car Park for a Period of 3 Years	S/NE-LT/11	“Agriculture”	12/08/2022
A/YL-KTS/938	Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	S/YL-KTS/15	“Agriculture”	14/10/2022
A/YL-KTS/931	Proposed Temporary Vehicle Repair Workshop and Shop and Services (Motorvehicle Showroom) with Ancillary Office for a Period of 3 Years	S/YL-KTS/15	“Agriculture”	11/11/2022
A/NE-LT/734	Temporary Shop and Services with Ancillary Office for a Period of 3 Years	S/NE-LT/11	“Agriculture”	23/12/2022

## 4 THE DEVELOPMENT PROPOSAL

### 4.1 Site Configuration, Layout and Operation

- 4.1.1 It is proposed to utilise the application site for the proposed use (i.e. Proposed Temporary Shop and Services (Local Provision Store) for a Period of Three Years) in order to cater the needs of villagers living nearby as well as the passengers using the KMB 79 K (Sheung Shui to Tsung Yuen Ha) and Green Mini-bus 53K in the close vicinity. The application site has a site area of about 338.8m<sup>2</sup>.
- 4.1.2 The proposed use comprises two single-storey structures with a total Gross Floor Area (GFA) of about 178.1m<sup>2</sup> and a height of 2.6m for the local provision store uses. A 5m-wide entrance/exit point is proposed along the eastern boundary of the application site. The proposed use aims to serve the villages/villagers of the Heung Yuen Wai area, including Tsung Yuen Ha, Heung Yuen Wai, Chuk Yuen Village, Kaw Liu Village, Ta Ku Ling Village and Kan Tau Wai, by providing local retail and community services.
- 4.1.3 The proposed local provision store aims to provide convenience for the nearby villagers to obtain certain range of necessities without travelling far to Sheung Shui or Fanling Town Centre. The local provision store will only be operating in a small scale, selling dry goods (i.e. drinks, canned food and other local convenience goods) without cooked food, poultry and wet goods. In order to ensure all retail activities of the proposed use will be confined in the application site, a 77m<sup>2</sup> waiting area is reserved at the shop front of the local provision store for customers to queue up and for loading and unloading activities.
- 4.1.4 The operation hour of the proposed use will be from 8:00 a.m. to 8:00 p.m. daily (including public holidays).
- 4.1.5 The Indicative Layout Plan is shown in **Figure 4** whilst the key development parameters for the proposed use are detailed in **Table 1**.

*Table 1: Proposed Key Development Parameters*

Items	Development Parameter(s)
<b>Total Site Area</b>	About 338.8m <sup>2</sup> (including about 125m <sup>2</sup> Government and)
<b>Uncovered Area</b>	About 160.7m <sup>2</sup> (47.4%) (including 77m <sup>2</sup> waiting area)
<b>Covered Area</b>	About 178.1m <sup>2</sup> (52.6%)
<b>Operation Hours</b>	From 8:00 a.m. to 8:00 p.m. daily (including public holidays)
<b>Structures</b>	
1	Local Provision Store (12.2m x 7.3m x 2.6m)
2	Local Provision Store (12.2m x 7.3m x 2.6m)
<b>Total GFA</b>	About 178.1m <sup>2</sup>
Local Provision Store	About 89.05m <sup>2</sup>
Local Provision Store	About 89.05m <sup>2</sup>
<b>No. of Storey</b>	1
<b>Building Height</b>	Not more than 2.6m

## 4.2 Vehicular Access and Parking Arrangement

- 4.2.1 No parking space will be provided within the application site due to its small scale. Occasional visitor parking and loading and unloading activities are proposed to take place at the adjacent 24-hour public vehicle park (excluding container vehicle) at Lots 388 S.A, 388 S.B, 388 RP (Part) and 390 RP (Part) in D.D. 78 and adjoining Government land, Tsung Yuen Ha, Ta Kwu Ling North, New Territories, which is also owned and managed by the Applicants. All traffics are expected to access the adjacent public vehicle park via Lin Ma Hang Road branching off the HYWH (**Figure 1** refers). According to the Applicants, the estimated trip generation and attraction of the proposed use would be 2-4 trips per day for visitors and 2-4 trips per week for loading and unloading activities, which would be fully under the capacity of the adjacent public vehicle park and traffic capacity in the area.
- 4.2.2 There is an existing 3.5m-wide local footpath connecting the application site with the local track abutting Lin Ma Hang Road. It is expected most of the visitors from the Village will access the proposed use on foot via the local footpath. Manpower will be used for the transportation of goods from the adjacent public vehicle park onto the application site via the existing footpath by trolley.
- 4.2.3 Visitors from other villages or districts are encouraged to access the application site via public transport. The Ta Kwu Ling (Tsung Yuen Ha) Bus Terminus serving with bus route No.79K is located at about 30m away the application site along Lin Ma Hang Road. Green Minibus route No. 59K connecting Sheung Shui Station and Lin Ma Hang is available along Lin Ma Hang Road (**Figure 1** refers). Given that application site is currently more accessible via public transport, it is not unreasonable to believe that majority of the visitors will access the application site by public transport. As such, no adverse traffic impact is anticipated from the proposed development.

### **4.3 Landscape Concern**

- 4.3.1 Given that the application site is currently an existing hard paved concrete platform and there is no existing tree within the application site. The application site has very low agricultural value at present and the proposed development would induce no significant landscape impact.

### **4.4 Provision of Drainage Facilities**

- 4.4.1 There is currently an existing nullah with a width of about 8m, locating about 60m to the southeast of the application site via Lot 388 RP in D.D. 78 and Government land. If it is further required and considered essential, the Applicants will submit a drainage proposal and further implement additional drainage facilities to the satisfaction of Drainage Services Department by way of compliance of approval condition(s).

## **5 PLANNING JUSTIFICATIONS**

### **5.1 Untapping the Opportunities Brought by Current and Future Development in the Surrounding Areas**

- 5.1.1 The HYW BCP, located in vicinity of the application site and the Tsung Yuen Ha Village, is expected to bring opportunities with a view to improve and upgrade the Heung Yuen Wai area. The connectivity, accessibility and mobility in the area have gradually enhanced due to the improvement in access arrangement since the fully commission of the HYW BCP in February 2023. Given that the application site is highly accessible by villagers nearby, it is considered to be the ideal and most suitable site for the provision of local retail and community services.
- 5.1.2 The application site, as a prime location for the proposed local provision store, would provide convenience for the nearby villagers as well as the passengers using the KMB 79 K (Sheung Shui to Tsung Yuen Ha) and Green Mini-bus 53K in the close vicinity. Moreover, the passengers crossing the HYW BCP may also be purchasing small daily needs from the proposed use on the application site. The application site is abutting a local track connecting Lin Ma Hang Road. It joins Ping Che Road in the south and Man Kam To Road in the west. Lin Ma Hang Road also links with Heung Yuen Wai Highway (HYWH) which commenced operation on 26.5.2019.
- 5.1.3 The application site currently is flat, hard paved and largely vacant. Illustration 1 indicates the current conditions of the application site and its surrounding areas.
- 5.1.4 The application is already hard-paved. More importantly, the application site is already land-locked by the Lin Ma Hang Road and two public car parks. In the absence of river and, stream, the chance for re-inhabitation of agricultural activities is very slim.
- 5.1.5 The provision local retail and community services would help the nearby villages/villagers to tap into the opportunity brought by the development in the surrounding areas and support the development of the Village. In addition, it would also help the villager/ resident to purchase certain range of basic goods without travelling far to Sheung Shui or Fanling Town Centre.
- 5.1.6 In view of the development of HYW BCP and the aspiration of developing NTN by the Government, despite the application site being rather remote at the moment, it is considered as an opportunity to utilise the application site for the proposed use to boost the local economy.

### **5.2 Meeting the Needs of the Community**

- 5.2.1 The proposed use at the application site, comprising a provision store, aims to provide local retail and community services at the neighbourhood to cater and support villagers' daily needs and livings.

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North, New Territories

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- 5.2.2 The area has long been lacking local retail and community facilities to cater for villagers' daily needs. The proposed local provision store will offer an alternative in the area to serve not only the villagers of Tsung Yuen Ha, but also villagers of other villages in the Heung Yuen Wai area. Considering that most of the villagers of Tsung Yuen Ha are elderly, a local provision store operating near the main village cluster will be more convenient and accessible for them to purchase certain range of basic goods without travelling far to Sheung Shui or Fanling Town Centre.

### **5.3 Optimization of Valuable Land Resources**

- 5.3.1 The proposed use would take full advantage of the location and the exceptional physical state of the application site i.e. being vacant and platformed and within walking distance to the Village, to serve the villagers nearby. While the Applicants, i.e. the registered owners of the application site, has no long-term planned development for his own private land currently, it is considered a good opportunity to utilise his private land along with the idle adjacent Government land, which is land-locked, small, irregular, lacking access and incapable for separate development, for the proposed use.
- 5.3.2 The inclusion of the idle adjacent Government land in the current scheme would achieve public benefits in two ways. Firstly, for the purpose of preventing occupation and disturbance to the existing footpath encompassing the application site, the utilisation of Government land would help providing an ample of open area at the shop front of the local provision store as dedicated as waiting area for customers to queue up and for loading and unloading activities. The inclusion of the idle vacant Government land in the application site can help to achieve the aforesaid arrangement to serve the public without disturbance to the surroundings. Secondly, the scheme would also achieve public benefits in reducing management and control costs for unlawful occupation on unallocated Government land. The inclusion of idle adjacent Government land under the proposed scheme would be conducted by the way of land exchange exercise once the application is approved.

### **5.4 Temporary Nature Would Not Jeopardise the Planning Intention of “AGR” Zone**

- 5.4.1 Notwithstanding that the application site falls within an area zoned “AGR” on the Current OZP and the proposed use is intended only to utilise the application site to serve the needs of the villagers/residents and in support of the village development, the temporary nature of the current application will by no means jeopardize the long-term planning intention of “AGR” zone.
- 5.4.2 The application site is currently hard paved and has no agricultural value at present. The application site is already land-locked by the Lin Ma Hang Road and two public carparks. In the absence of river and, stream, the chance for re-inhabitation of agricultural activities is very slim. Having considered the fact that the application site shares similar identity to the adjoining Ta Kwu Ling (Tsung Yuen Ha) Bus Terminus, bringing forward the planning intention of “AGR” zone can hardly be materialised in short term until the surrounding characteristics are entirely and compulsorily acquired to be utilised for agricultural activities.

### **5.5 Not Incompatible with Surrounding Land Uses**

- 5.5.1 Given that similar uses, including the temporary shop and services, canteen and office uses, are found in the surrounding areas and the proposed use is solely to be used to serve the needs of the local villagers, it is considered not incompatible with the surrounding semi-rural environment and village settings, in terms of its geographical



location and land use.

- 5.5.2 In view of that the proposed use is small scale in nature, with a total GFA of 178.1m<sup>2</sup> and a building height of not more than 2.6m, it is anticipated that no visual obstruction nor incompatible landscape will be created to the area. The proposed development should be considered not incompatible with the surrounding area comprising of low rises village houses and temporary structures.

## **5.6 No Adverse Traffic, Landscape and Drainage Impacts**

- 5.6.1 As the proposed use is in small-scale, the traffic generation and attraction are anticipated to be very minimal. The proposed use provides no parking spaces. Instead, occasional visitor parking and loading and unloading activities are proposed to take place at the adjacent 24-hour public vehicle park (excluding container vehicle) which is also owned and managed by the Applicants. Manpower will be used for the transportation of goods from the adjacent public vehicle park onto the application site via the existing footpath by trolley. Regular visitors are recommended to access the proposed use by public transport or on foot via the existing footpath. Since the estimated trip generation and attraction of the proposed use is fully under the capacity of the adjacent public vehicle park and traffic capacity in the area, it is not anticipated that the proposed use will generate any significant additional and adverse traffic impacts on the area.
- 5.6.2 Given that the application site is currently an existing hard paved concrete platform and there is no existing tree within the application site. The application site has very low agricultural value at present and the proposed development would induce no significant landscape impact.
- 5.6.3 No adverse drainage impact is anticipated from the proposed use. The application site is generally paved with gravel. There is an existing U-channel is located in about 60m to the southeast of the application site, and in particular, no flooding or relevant complaints have received in recent years. If it is further required and considered essential, the Applicants will submit a drainage proposal and further implement additional drainage facilities to the satisfaction of Drainage Services Department by way of compliance of approval condition(s).

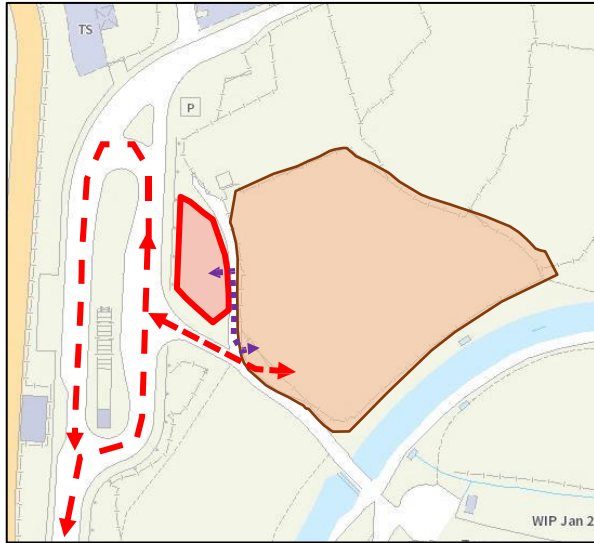
## 6 CONCLUSION

- 6.1.1 This Planning Statement is submitted to the Board in support of a planning application for **Proposed Temporary Shop and Services (Local Provision Store) for a Period of Three Years** at Lot 390 RP (Part) in D.D.78 and Adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling North, New Territories. The application site has a total area of about 338.8m<sup>2</sup>. The Planning Statement serves to provide background information and planning justifications in support of the proposed use in order to facilitate the consideration by the Board.
- 6.1.2 In planning context, the application site falls within an area zoned “AGR” on the Current OZP (i.e. approved Ta Kwu Ling North OZP No. S/NE-TKLN/2) which was gazetted on 13.05.2016. Temporary use of the application site not exceeding a period of three years requires planning permission from the Board. As detailed throughout this Planning Statement, the proposed use is well justified on the grounds that:
- (a) The proposed use can help the Tsung Yuen Ha Village (the Village) to tap into the opportunity brought by the development in the surrounding areas and support the development of the Village;*
  - (b) The proposed use at the application site meets the unique needs of the villagers for development of the Village, which would enhance their living condition;*
  - (c) The application site is already land-locked by the Lin Ma Hang Road and two public carparks. In the absence of river and, stream, the chance for re-inhabitation of agricultural activities is very slim;*
  - (d) The application site located in the close proximity of the Heung Yuen Wai Control Point (HYW BCP), Lin Ma Hang Road and two public carparks. It has a prime location and is ideal for the proposed use in serving the neighbourhood as well as the passengers crossing the HYW BCP;*
  - (e) The temporary nature would not jeopardize the planning intention of “AGR” zone;*
  - (f) The proposed use at the application site is not incompatible with the surrounding area in terms of land uses; and*
  - (g) No adverse traffic, landscape and drainage impact is anticipated from the proposed use, as of its small scale.*
- 6.1.3 In view of the above and the list of detailed planning justifications in the Planning Statement, it is sincerely hoped that members of the Board will give favourable consideration to approve the current application for the proposed use for a temporary period of 3 years.

## List of Figures

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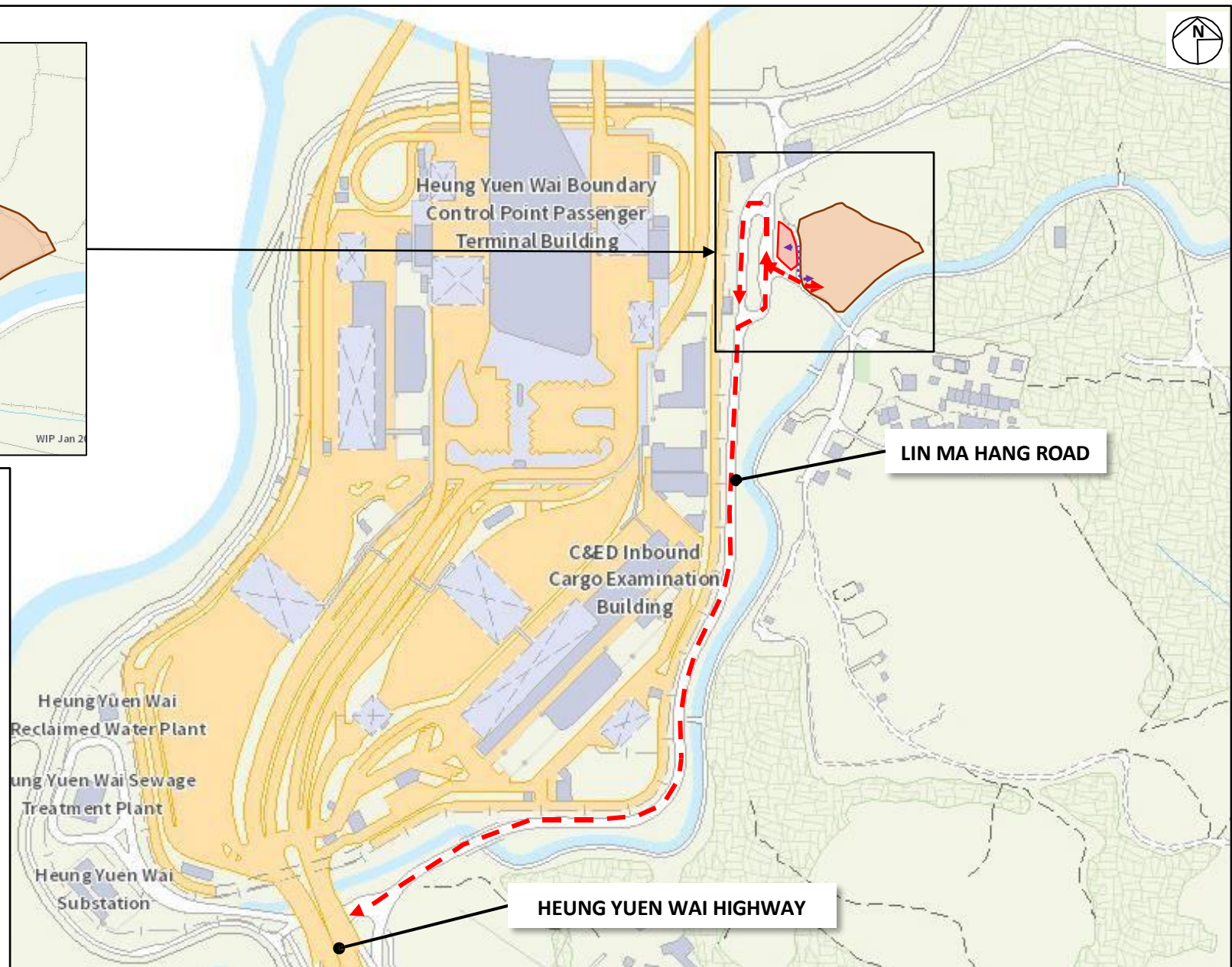
Figure 1	Location Plan
Figure 2	Extract of Lot Index Plan (No. ags_S00000106671_0001)
Figure 3	Extract of the Approved Ta Kwu Ling North Outline Zoning Plan No. S/NE-TKLN/2
Figure 4	Indicative Layout Plan



#### LEGEND:

- The Application Site
- Public Vehicle Park owned and managed by the Applicants (No. A/NE-TKLN/37)
- Vehicular Access to/from the Public Vehicle Park
- Pedestrian Access between the Application Site and the Public Vehicle Park

*(For Identification Only)*



**Project:**  
Section 16 Planning Application for Proposed Temporary Shop and Services (Local Provision Store) for a Period of 3 Years at Lot 390 RP (Part) in D.D. 78 and Adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling North, New Territories

**Title:**  
Location Plan

**Figure:**  
1

**Scale:**  
Not to Scale

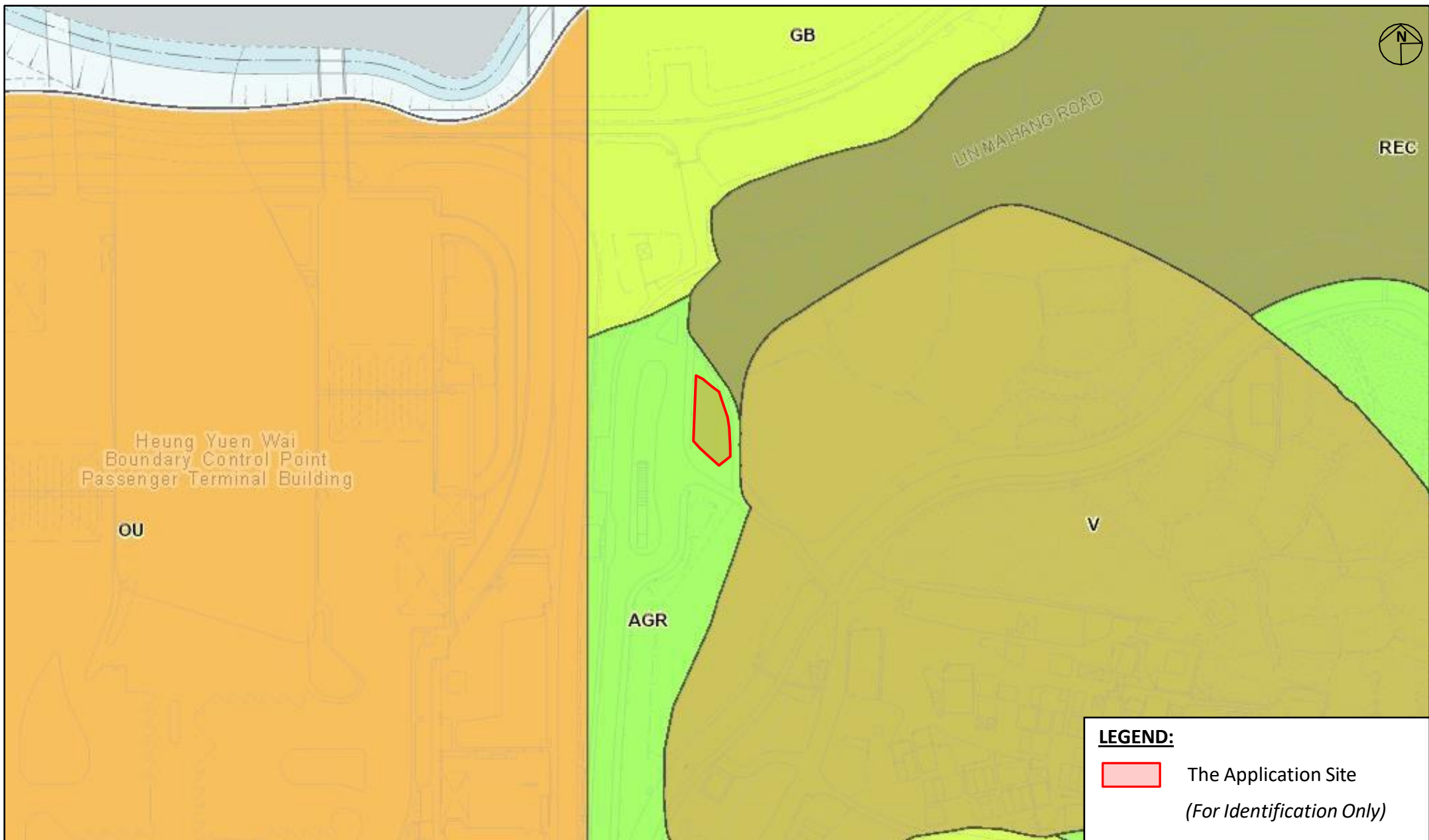
**Date:**  
Dec., 2024

Ref.: MCCL/0079/24

**MC Man Chi**  
Consultants And Construction Limited







**Project:**

Section 16 Planning Application for Proposed Temporary Shop and Services (Local Provision Store) for a Period of 3 Years at Lot 390 RP (Part) in D.D. 78 and Adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling North, New Territories

**Title:**

Extract of the Approved Ta Kwu Ling North Outline Zoning Plan No. S/NE-TKLN/2

**Figure:**

3

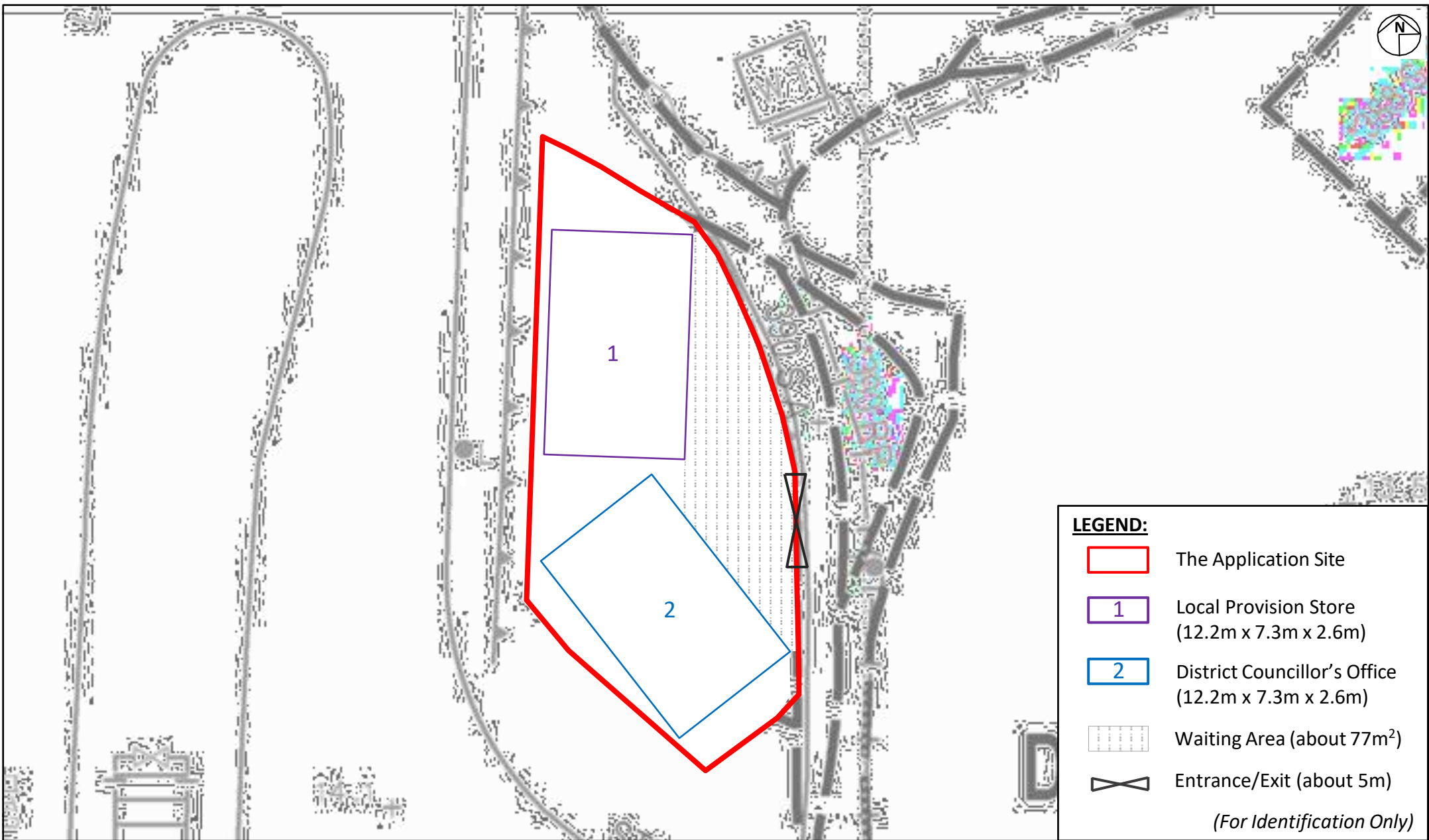
**Scale:**

Not to Scale

**Date:**

Dec., 2024





**Project:**  
 Section 16 Planning Application for Proposed Temporary Shop and Services (Local Provision Store) for a Period of 3 Years at Lot 390 RP (Part) in D.D. 78 and Adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling North, New Territories

**Title:**  
 Indicative Layout Plan

Ref.: MCCL-0079/24

**Figure:**  
 4

**Scale:**  
 Not to Scale

**Date:**  
 Dec., 2024

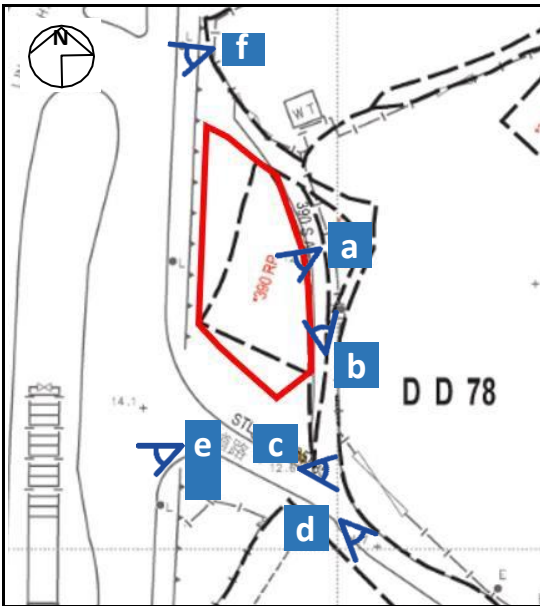
**MC Man Chi**  
 Consultants And Construction Limited

## Illustration 1

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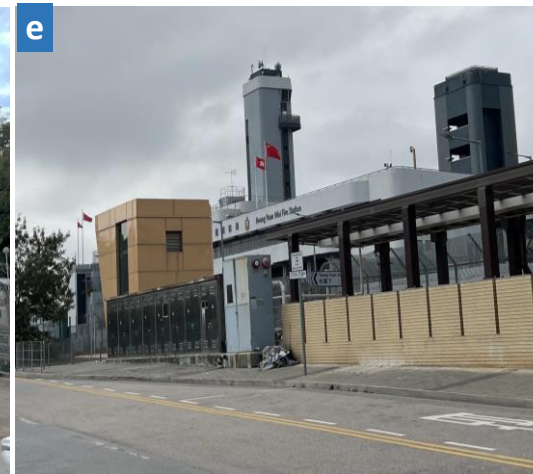
Existing Condition of the Application Site and the Surrounding Areas





**LEGEND:**

- Site Boundary    Viewpoints  
(For Identification Only)



**Project:**

Section 16 Planning Application for Proposed Temporary Shop and Services (Local Provision Store) for a Period of 3 Years at Lot 390 RP (Part) in D.D. 78 and Adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling North, New Territories

**Title:**

Existing Condition of the Application Site and the Surrounding Areas

**Illustration:**

1

**Scale:**

Not to Scale

**Date:**

Dec., 2024

**MC** Man Chi  
Consultants And Construction Limited

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy

**Brian Ching Hong CHAN/PLAND**

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寄件者: YC Lit < >  
寄件日期: 2025年02月24日星期一 0:23  
收件者: Brian Ching Hong CHAN/PLAND  
主旨: S.16 Application A/NE-TKLN/95 Lot 390 RP (Part) in DD 78  
附件: Replacement Page Figure 4 LOt 390 RP in DD 78 Provision Store TKLN 95\_0001.pdf  
  
類別: Internet Email

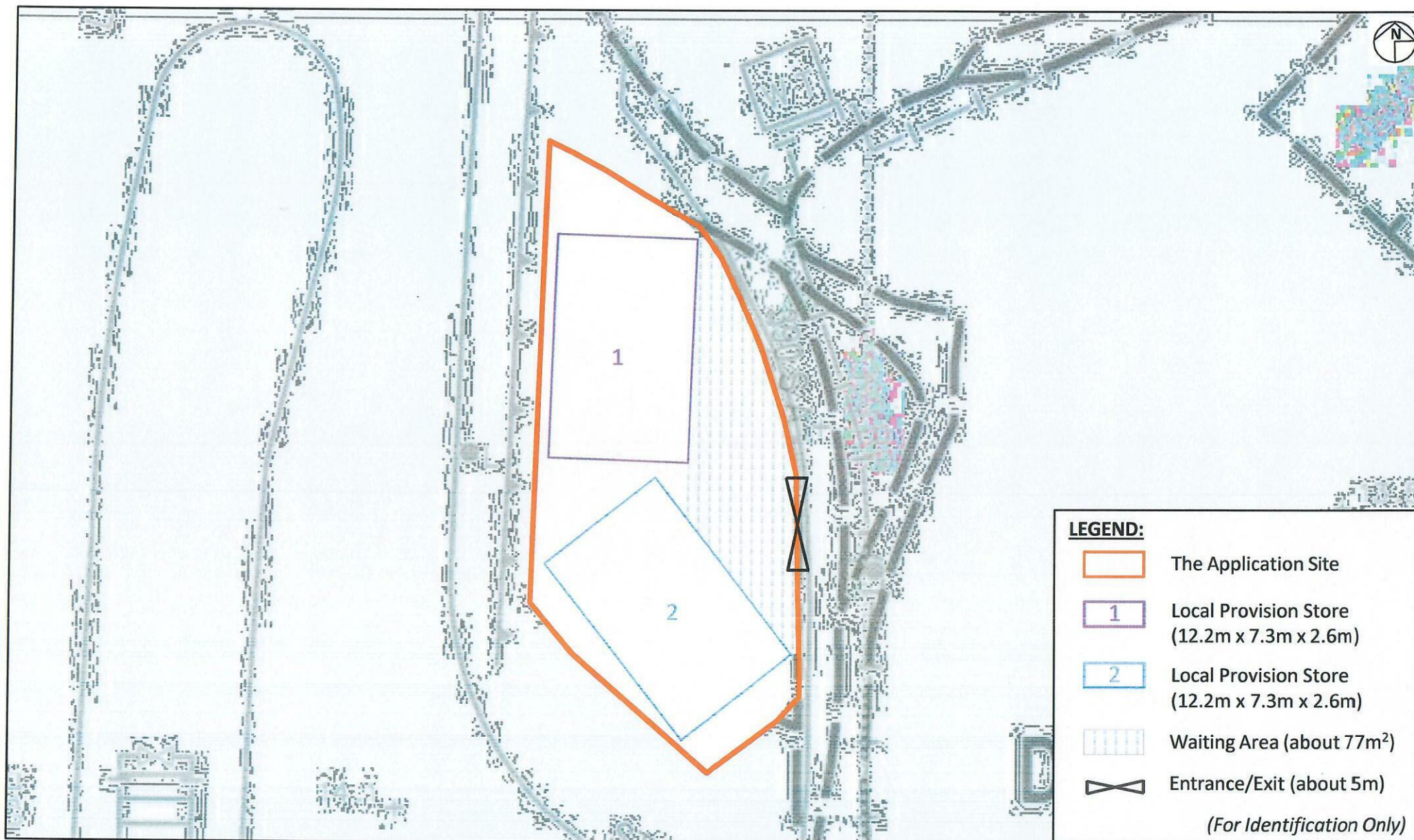
Dear Brian ,

We spoke.

Replacement Figure 4 of the above application is attached herewith for your necessary action.

Best regards  
LIT Ying-cheung Edward





**Project:**

Section 16 Planning Application for Proposed Temporary Shop and Services (Local Provision Store) for a Period of 3 Years at Lot 390 RP (Part) in D.D. 78 and Adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling North, New Territories

**Title:**

Indicative Layout Plan

**Figure:**

4

**Scale:**

Not to Scale

**Date:**

Dec., 2024

Ref.: MCCL-0079/24

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy ☐Confidential

Timothy Wai Pui WU/PLAND

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寄件者: YC Lit <[REDACTED]>  
寄件日期: 2025年04月24日星期四 22:01  
收件者: tpbpd/PLAND  
副本: Brian Ching Hong CHAN/PLAND; Timothy Wai Pui WU/PLAND  
主旨: S.16 Application -A/NE-TKLN/95 (Lot 390 (Part) in DD 78  
附件: Replacement Pages for S.16 III Application Form Lot 390 RP( Part) in DD 78 TPB A NE TKLN 95\_0001\_0001.pdf; Replacement Pages for Planning Statement Lot 390 RP( Part) in DD 78 TPB A NE TKLN 95\_0001\_0001.pdf; Figure 2 Extract of Lot Index Plan and existing Local Footpath TKLN 95 Lot 390 RP in DD 78\_0001\_0001\_0001\_0001.pdf; Replacement Pages for Figure 4 (Rev.) Lot 390 RP( Part) in DD 78 TPB A NE TKLN 95\_0001\_0001\_0001\_0001.pdf; Figure 5 Land Filling Plan TKLN 95 Lot 390 RP in DD 78\_0001\_0001\_0001\_0001.pdf; Illustration I Aerial photo showing the local footpath and pedstrain pavement TKLN 95 Lot 390 RP in DD 78\_0001\_0001\_0001\_0001.pdf; Illustration II -Showing the Entrance A of the Local Footpaph TKLN 95\_0001\_0001\_0001\_0001.pdf; Illustration III showing the Entrance B of the Local Footpath TKLN 95\_0001\_0001\_0001\_0001.pdf; Response to Comments Lot 390 RP (Part) in DD 79 TPB A NE-TKLN 95.pdf; Letter dd 24.4.2025 to TPB Lot 390 (Part) in DDE 78 TKLN 95\_0001.pdf  
  
類別: Internet Email

Dear Sir/Madam

We refer to the captioned application and would like to provide further information to facilitate considerations by the TPB. Enclosed a self-explanatory letter and the following documents for your onward processing please:

- (i) Replacement Pages of the S.16 III Application Form ;
- (2) Replacement Page of our Planning Statement;
- (3) Replacement Fig. 2, 4 and 5;
- (4) Illustration I, II & III; and
- (5) Response-To-Comments Table.

The hard copy of the above-mentioned document will be posted to TPB and District Planning Office accordingly.

For enquiry, please contact the undersigned at Tel: [REDACTED].

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy ☐Confidential  
Best regards

LIT Ying Cheung Edward

Should you have any queries, please do not hesitate to contact us. Thank you.



敏志顧問及建築工程有限公司



Your Ref: TPB/A/NE-TKLN/95  
Our Reference: (2) in MCCACL 95/24  
The Secretary,  
Town Planning Board,  
15/F., North Point Government Office,  
333, Java Road, North Point, Hong Kong.

Date 24.04.2025

**By Emails & Post**

Dear Sir/Madam,

**Re: Application No. TPB/A/NE-TKLN/95**


**Section 16 Application for Proposed Temporary Shop and Services (Local Provision Store) for a Period of 3 Years at Lots no. 390 RP in D.D. 78 and the adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling, North, N.T.**

We refer to the departmental comments from the Transport Department, Agricultural, Fisheries and Conservation Department and Lands Department regarding the subject application and would like to provide several replacement pages of the Planning Statement and S.16 Application Form together with a Response-to-Comments Table and clarifications to address the aforesaid departmental comments and facilitate consideration by the Board.

Thank you for your kind attention and should you have any enquiry, please feel free to contact the undersigned at Tel: [REDACTED]

Yours faithfully,

For and on behalf of  
MAN CHI CONSULTANTS AND CONSTRUCTION LIMITED  
敏志顧問及建築工程有限公司

  
.....  
(LIT Ying-cheung, Edward) .....ure(s)

Director

Encl.

c.c. By Emails- District Planning Officer, Shatin, Tai Po & North (Attn: Mr. WU Wai Pui, Timothy)

Man Chi Consultants And Construction Limited  
敏志顧問及建築工程有限公司

[REDACTED]



## 6. Type(s) of Application 申請類別

**(A) Temporary Use/Development of Land and/or Building Not Exceeding 3 Years in Rural Areas or Regulated Areas**

位於鄉郊地區或受規管地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展

(For Renewal of Permission for Temporary Use or Development in Rural Areas or Regulated Areas, please proceed to Part (B))

(如屬位於鄉郊地區或受規管地區臨時用途/發展的規劃許可續期，請填寫(B)部分)

<p>(a) Proposed use(s)/development 擬議用途/發展</p>	<p>Proposed Temporary Shop and Services ( Local Provision Store ) and Associated Filling of Land for a period of 3 Years</p> <p>(Please illustrate the details of the proposal on a layout plan) (請用平面圖說明擬議詳情)</p>
----------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

(b) Effective period of permission applied for 申請的許可有效期	<input checked="" type="checkbox"/> year(s) 年      3 ..... <input type="checkbox"/> month(s) 個月      .....
------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------

(c) Development Schedule 發展細節表

Proposed uncovered land area 擬議露天土地面積	160.7	sq.m	<input checked="" type="checkbox"/> About 約
Proposed covered land area 擬議有上蓋土地面積	178.1	sq.m	<input checked="" type="checkbox"/> About 約
Proposed number of buildings/structures 擬議建築物／構築物數目	2		
Proposed domestic floor area 擬議住用樓面面積	N/A.	sq.m	<input checked="" type="checkbox"/> About 約
Proposed non-domestic floor area 擬議非住用樓面面積	178.1	sq.m	<input checked="" type="checkbox"/> About 約
Proposed gross floor area 擬議總樓面面積	178.1	sq.m	<input checked="" type="checkbox"/> About 約

Proposed height and use(s) of different floors of buildings/structures (if applicable) 建築物/構築物的擬議高度及不同樓層的擬議用途 (如適用) (Please use separate sheets if the space below is insufficient) (如以下空間不足, 請另頁說明)

Two Local Provision Store( 1 storey not more than 2.6.m in Height)

.....

.....

.....

.....

## Proposed number of car parking spaces by types 不同種類停車位的擬議數目

Private Car Parking Spaces 私家車車位	N/A.
Motorcycle Parking Spaces 電單車車位	N/A.
Light Goods Vehicle Parking Spaces 輕型貨車泊車位	N/A.
Medium Goods Vehicle Parking Spaces 中型貨車泊車位	N/A.
Heavy Goods Vehicle Parking Spaces 重型貨車泊車位	N/A.
Others (Please Specify) 其他 (請列明)	N/A.

## Proposed number of loading/unloading spaces 上落客貨車位的擬議數目

Taxi Spaces 的士車位	N/A.
Coach Spaces 旅遊巴車位	N/A.
Light Goods Vehicle Spaces 輕型貨車車位	N/A.
Medium Goods Vehicle Spaces 中型貨車車位	N/A.
Heavy Goods Vehicle Spaces 重型貨車車位	N/A.
Others (Please Specify) 其他 (請列明)	N/A.



Proposed operating hours 擬議營運時間 From 8:00 am to 8:00 pm daily (including public holidays)..... .....			
(d) Any vehicular access to the site/subject building? 是否有車路通往地盤/ 有關建築物?	Yes 是	<input checked="" type="checkbox"/> There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用)) <b>Lin Ma Hang Road</b>	
	No 否	<input type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示, 並註明車路的闊度) <input type="checkbox"/>	
(e) Impacts of Development Proposal 擬議發展計劃的影響 (If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures. 如需要的話, 請另頁註明可盡量減少可能出現不良影響的措施, 否則請提供理據/理由。)			
(i) Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動?	Yes 是	<input type="checkbox"/> Please provide details 請提供詳情 ..... ..... .....	
	No 否	<input checked="" type="checkbox"/>	
(ii) Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程?	Yes 是	<input checked="" type="checkbox"/> (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地/池塘界線, 以及河道改道、填塘、填土及/或挖土的細節及/或範圍) <input type="checkbox"/> Diversion of stream 河道改道 <input type="checkbox"/> Filling of pond 填塘 Area of filling 填塘面積 ..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填塘深度 ..... m 米 <input type="checkbox"/> About 約 <input checked="" type="checkbox"/> Filling of land 填土 Area of filling 填土面積 ..... 338.8 ..... sq.m 平方米 <input checked="" type="checkbox"/> About 約 Depth of filling 填土厚度 ..... 0.15 ..... m 米 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積 ..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of excavation 挖土深度 ..... m 米 <input type="checkbox"/> About 約	
	No 否	<input type="checkbox"/>	
(iii) Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響?	On environment 對環境 On traffic 對交通 On water supply 對供水 On drainage 對排水 On slopes 對斜坡 Affected by slopes 受斜坡影響 Landscape Impact 構成景觀影響 Tree Felling 砍伐樹木 Visual Impact 構成視覺影響 Others (Please Specify) 其他 (請列明) ..... .....		Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/> Yes 會 <input type="checkbox"/> No 不會 <input checked="" type="checkbox"/>



<b>Gist of Application 申請摘要</b> (Please provide details in both English and Chinese as far as possible. This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.) (請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及於規劃署規劃資料查詢處供一般參閱。)	
Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)
Location/address 位置/地址	Lot 390 RP ( Part) in DD 78 and Adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling North, New Territories 新界北區打鼓嶺松園下丈量約份第78約地段第390號餘段(部份)及毗連政府土地
Site area 地盤面積	338.8 sq. m 平方米 <input checked="" type="checkbox"/> About 約 (includes Government land of 包括政府土地 125 sq. m 平方米 <input checked="" type="checkbox"/> About 約)
Plan 圖則	Approved Ta Kwu Ling North Outline Zoning Plan No. S/NE-TKLN/2 打鼓嶺北分區計劃大綱核准圖(編號:S/NE-TKLN/2)
Zoning 地帶	"Agricultural" ("AGR") 「農業」地帶
Type of Application 申請類別	<input checked="" type="checkbox"/> Temporary Use/Development in Rural Areas or Regulated Areas for a Period of 位於鄉郊地區或受規管地區的臨時用途/發展為期 <input checked="" type="checkbox"/> Year(s) 年 <u>3</u> <input type="checkbox"/> Month(s) 月 _____ <input type="checkbox"/> Renewal of Planning Approval for Temporary Use/Development in Rural Areas or Regulated Areas for a Period of 位於鄉郊地區或受規管地區臨時用途/發展的規劃許可續期為期 <input type="checkbox"/> Year(s) 年 _____ <input type="checkbox"/> Month(s) 月 _____
Applied use/ development 申請用途/發展	Proposed Temporary Shop and Services ( Local Provision Store ) and Associated Filling of Land for a period of 3 Years 擬議臨時商店及服務行業(士多)及相關填土(為期三年)

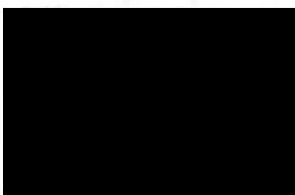


## Section 16 Planning Application

Proposed Temporary Shop and Services (Local Provision Store) and Associated Filling of Land for a Period of Three Years

Lot 390 RP (Part) in D.D. 78 and Adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling North, New Territories

### *Planning Statement*



Prepared by  
Man Chi Consultants And Construction Limited

December 2024



## EXECUTIVE SUMMARY

*(In case of discrepancy between English and Chinese versions, English shall prevail)*

This Planning Statement is submitted to the Town Planning Board (hereinafter referred to as “the Board”) in support of a planning application (hereinafter referred to as “the current application”) for **Proposed Shop and Services (Local Provision Store) with Associated Filling of Land for a Period of Three Years** (hereinafter referred to as “the proposed use”) at Lot 390 RP (Part) in D.D. 78 and Adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling North, New Territories (hereinafter referred to as “the application site”). The application site has a total area of about 338.8m<sup>2</sup>. The Planning Statement serves to provide background information and planning justifications in support of the proposed use in order to facilitate the consideration by the Board.

The application site falls within an area zoned “Agriculture” (“AGR”) on the approved Ta Kwu Ling North Outline Zoning Plan (OZP) No. S/NE-TKLN/2, which was gazetted on 13.05.2016 (hereinafter referred to as “the Current OZP”). Temporary use of the application site not exceeding a period of three years requires planning permission from the Board. As detailed throughout this Planning Statement, the proposed use is well justified on the grounds that: -

- (a) The proposed use can help the Tsung Yuen Ha Village (the Village) to tap into the opportunity brought by the development in the surrounding areas and support the development of the Village;*
- (b) The proposed use at the application site meets the unique needs of the villagers for development of the Village, which would enhance their living condition;*
- (c) The application site is already land-locked by the Lin Ma Hang Road and two public carparks. In the absence of river and, stream, the chance for re-inhabitation of agricultural activities is very slim;*
- (d) The application site located in the close proximity of the Heung Yuen Wai Control Point (HYW BCP), Lin Ma Hang Road and two public carparks. It has a prime location and is ideal for the proposed use in serving the neighbourhood as well as the passengers crossing the HYW BCP;*
- (e) The temporary nature would not jeopardize the planning intention of “AGR” zone;*
- (f) The proposed use at the application site is not incompatible with the surrounding area in terms of land uses; and*
- (g) No adverse traffic, landscape and drainage impact is anticipated from the proposed use, as of its small scale.*

In view of the above and the list of detailed planning justifications in the Planning Statement, it is sincerely hoped that members of the Board will give favourable consideration to approve the current application for the proposed use for a temporary period of 3 years.



## 行政摘要

此規劃報告書在支持一宗遞交予城市規劃委員會（以下簡稱「城規會」）的規劃申請（以下簡稱「該申請」），作擬議臨時商店及服務行業（士多）及相關填土（為期三年）（以下簡稱「擬議用途」）。該申請所涉及地點位於新界北區打鼓嶺松園下丈量約份第 78 約地段第 390 號餘段及毗連政府土地（以下簡稱「申請地點」）。申請地點的面積約為 338.8 平方米。此規劃報告書提供該申請的背景資料及規劃理據以支持擬議用途供城規會考慮。

申請地點於 2016 年 5 月 13 日刊憲公佈的打鼓嶺北分區計劃大綱核准圖（編號：S/NE-TKLN/2）內被劃為「農業」用途地帶。臨時性質的用途不超過三年須向城規會提出申請。此規劃報告書內詳細闡述擬建用途的規劃理據，當中包括：-

- (一) 擬議用途有助松園下村善用周遭地區發展的機遇，支持松園下村發展；
- (二) 申請地點的擬議用途符合松園下村村民及發展的需要，能提升他們的居住環境；
- (三) 申請地點已經被蓮麻坑路及兩個公眾停車場包圍。欠缺小河或溪流；能夠恢復作為農業活動的機會不大；
- (四) 申請地點座落位於有毗連的香園圍邊境管制站，蓮麻坑路及兩個公眾停車場。因此是一個最理想及最適當地點提供擬議地用途給與附近村民及利用香園圍邊境管制站出入境的旅客；
- (五) 擬議用途的臨時性質不會妨礙落實大綱核准圖中「農業」地帶的長遠規劃意向；
- (六) 申請地點的擬議用途與鄰近的鄉郊環境特質及附近土地用途並非不協調；
- (七) 因為申請地點的面積較小故此擬議用途不會對交通、景觀及排水構成重大負面影響。

鑑於以上及此規劃報告書所提供的詳細規劃理據，懇請城規會各委員批准該申請作為期三年擬議用途。



# 1 INTRODUCTION

## 1.1 Purpose

- 1.1.1 Pursuant to section 16 of the Town Planning Ordinance (TPO) (Cap. 131), this *Planning Statement* is submitted to the Town Planning Board (hereinafter referred to as “the Board”) in support of a planning application (hereinafter referred to as “the current application”) for **Proposed Temporary Shop and Services (Local Provision Store) with Associated Filling of Land for a Period of Three Years** (hereinafter referred to as “the proposed use”) at Lot 390 RP (Part) in D.D.78 and adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling, North, New Territories (hereinafter referred to “the application site”). The Planning Statement serves to provide background information and planning justifications in support of the proposed use in order to facilitate the consideration by the Board.
- 1.1.2 The application site with a site area of about 338.8m<sup>2</sup> falls within an area zoned “Agriculture” (“AGR”) on the approved Ta Kwu Ling North Outline Zoning Plan (OZP) No. S/NE-TKLN/2 gazetted on 13.05.2016 (hereinafter referred to as “the Current OZP”). As stipulated in (11)(b) of the covering Notes of the Current OZP, “...temporary use or development of any land or building not exceeding a period of three years requires permission from the Town Planning Board. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years...”. In this connection, the Applicants wish to seek planning permission from the Board for the proposed use on a temporary basis of three years.
- 1.1.3 Prepared on behalf of the registered owners of the application site (hereafter referred to as “the Applicants”), Man Chi Consultants and Construction Limited have been commissioned to prepare and submit the current application.

## 1.2 Background

- 1.2.1 The application site is located in Tsung Yuen Ha, Ta Kwu Ling North, a Recognised Village under the Lands Department. Since the area was previously restricted under the Frontier Closed Area (FCA), villagers are living in a remote area with a lack of local retail and community facilities to cater their daily needs. In order to improve their living conditions, villagers from Heung Yuen Wai area, in particular the elderly, have long been requesting for the provision of local retail and community facilities in the area to support their daily needs.
- 1.2.2 According to the Applicants, the population of Tsung Yuen Ha Village (the Village) is mainly formed by indigenous villagers from the 7 Tsos of about 800 residents, including about 200 usual residents living in the Village (equivalent to about 60



### **5.3 Optimization of Valuable Land Resources**

- 5.3.1 The proposed use would take full advantage of the location and the exceptional physical state of the application site i.e. being vacant and platformed and within walking distance to the Village, to serve the villagers nearby. While the Applicants, i.e. the registered owners of the application site, has no long-term planned development for his own private land currently, it is considered a good opportunity to utilise his private land along with the idle adjacent Government land, which is land-locked, small, irregular, lacking access and incapable for separate development, for the proposed use.
- 5.3.2 The inclusion of the idle adjacent Government land in the current scheme would achieve public benefits in two ways. Firstly, for the purpose of preventing occupation and disturbance to the existing footpath encompassing the application site, the utilisation of Government land would help providing an ample of open area at the shop front of the local provision store as dedicated as waiting area for customers to queue up and for loading and unloading activities. The inclusion of the idle vacant Government land in the application site can help to achieve the aforesaid arrangement to serve the public without disturbance to the surroundings. Secondly, the scheme would also achieve public benefits in reducing management and control costs for unlawful occupation on unallocated Government land. For inclusion of idle adjacent Government land under the proposed scheme, the applicant would apply to District Lands Office, North for regularization by way of Short Term Tenancy (STT) once the application is approved.

### **5.4 Temporary Nature Would Not Jeopardise the Planning Intention of “AGR” Zone**

- 5.4.1 Notwithstanding that the application site falls within an area zoned “AGR” on the Current OZP and the proposed use is intended only to utilise the application site to serve the needs of the villagers/residents and in support of the village development, the temporary nature of the current application will by no means jeopardize the long-term planning intention of “AGR” zone.
- 5.4.2 The application site is currently hard paved and has no agricultural value at present. The application site is already land-locked by the Lin Ma Hang Road and two public carparks. In the absence of river and, stream, the chance for re-inhabitation of agricultural activities is very slim. Having considered the fact that the application site shares similar identity to the adjoining Ta Kwu Ling (Tsung Yuen Ha) Bus Terminus, bringing forward the planning intention of “AGR” zone can hardly be materialised in short term until the surrounding characteristics are entirely and compulsorily acquired to be utilised for agricultural activities.

### **5.5 Not Incompatible with Surrounding Land Uses**

- 5.5.1 Given that similar uses, including the temporary shop and services, canteen and office uses, are found in the surrounding areas and the proposed use is solely to be used to serve the needs of the local villagers, it is considered not incompatible with the



location and land use.

- 5.5.2 In view of that the proposed use is small scale in nature, with a total GFA of 178.1m<sup>2</sup> and a building height of not more than 2.6m, it is anticipated that no visual obstruction nor incompatible landscape will be created to the area. The proposed development should be considered not incompatible with the surrounding area comprising of low rises village houses and temporary structures.

## **5.6 No Adverse Traffic, Landscape and Drainage Impacts**

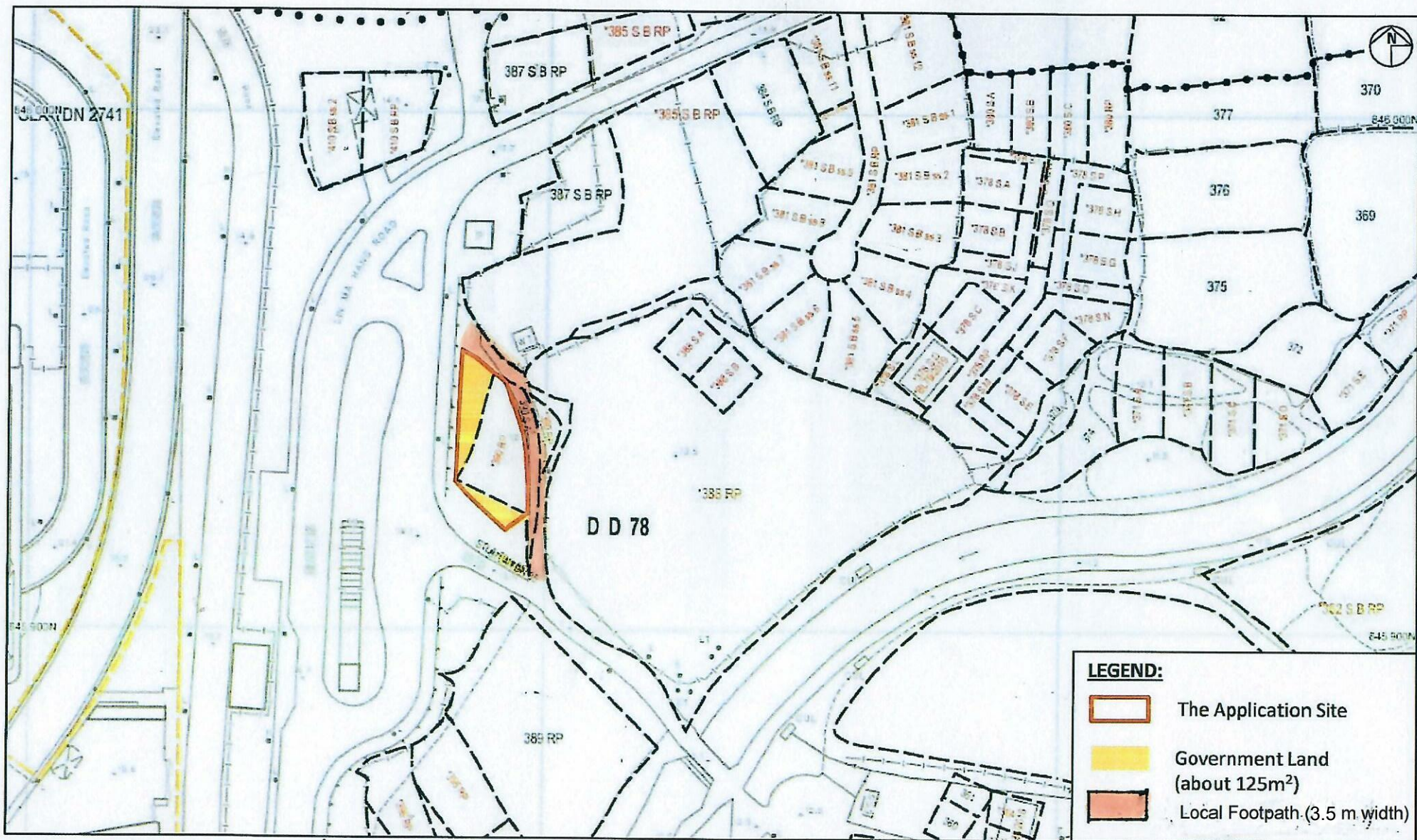
- 5.6.1 As the proposed use is in small-scale, the traffic generation and attraction are anticipated to be very minimal. The proposed use provides no parking spaces. Instead, occasional visitor parking and loading and unloading activities are proposed to take place at the adjacent 24-hour public vehicle park (excluding container vehicle) which is also owned and managed by the Applicants. Manpower will be used for the transportation of goods from the adjacent public vehicle park onto the application site via the existing footpath by trolley. Regular visitors are recommended to access the proposed use by public transport or on foot via the existing footpath. Since the estimated trip generation and attraction of the proposed use is fully under the capacity of the adjacent public vehicle park and traffic capacity in the area, it is not anticipated that the proposed use will generate any significant additional and adverse traffic impacts on the area.
- 5.6.2 Given that the application site is currently an existing hard paved concrete platform of 0.15 m thick which was formed during the site formation works and there is no existing tree within the application site. The application site has very low agricultural value at present and the proposed development would induce no significant landscape impact.
- 5.6.3 No adverse drainage impact is anticipated from the proposed use. The application site is generally paved with concrete. There is an existing U-channel is located in about 60m to the southeast of the application site, and in particular, no flooding or relevant complaints have received in recent years. If it is further required and considered essential, the Applicants will submit a drainage proposal and further implement additional drainage facilities to the satisfaction of Drainage Services Department by way of compliance of approval condition(s).



## 6 CONCLUSION

- 6.1.1 This Planning Statement is submitted to the Board in support of a planning application for **Proposed Temporary Shop and Services (Local Provision Store) and Associated Filling of Land for a Period of Three Years** at Lot 390 RP (Part) in D.D.78 and Adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling North, New Territories. The application site has a total area of about 338.8m<sup>2</sup>. The Planning Statement serves to provide background information and planning justifications in support of the proposed use in order to facilitate the consideration by the Board.
- 6.1.2 In planning context, the application site falls within an area zoned “AGR” on the Current OZP (i.e. approved Ta Kwu Ling North OZP No. S/NE-TKLN/2) which was gazetted on 13.05.2016. Temporary use of the application site not exceeding a period of three years requires planning permission from the Board. As detailed throughout this Planning Statement, the proposed use is well justified on the grounds that:
- (a) *The proposed use can help the Tsung Yuen Ha Village (the Village) to tap into the opportunity brought by the development in the surrounding areas and support the development of the Village;*
  - (b) *The proposed use at the application site meets the unique needs of the villagers for development of the Village, which would enhance their living condition;*
  - (c) *The application site is already land-locked by the Lin Ma Hang Road and two public carparks. In the absence of river and, stream, the chance for re-inhabitation of agricultural activities is very slim;*
  - (d) *The application site located in the close proximity of the Heung Yuen Wai Control Point (HYW BCP), Lin Ma Hang Road and two public carparks. It has a prime location and is ideal for the proposed use in serving the neighbourhood as well as the passengers crossing the HYW BCP;*
  - (e) *The temporary nature would not jeopardize the planning intention of “AGR” zone;*
  - (f) *The proposed use at the application site is not incompatible with the surrounding area in terms of land uses; and*
  - (g) *No adverse traffic, landscape and drainage impact is anticipated from the proposed use, as of its small scale.*
- 6.1.3 In view of the above and the list of detailed planning justifications in the Planning Statement, it is sincerely hoped that members of the Board will give favourable consideration to approve the current application for the proposed use for a temporary period of 3 years.





**Project:**

Section 16 Planning Application for Proposed Temporary Shop and Services (Local Provision Store) for a Period of 3 Years at Lot 390 RP (Part) in D.D. 78 and Adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling North, New Territories

**Title:**

Extract of Lot Index Plan  
(No. ags\_500000106671\_0001)  
& Local Footpath

For Identification Only

Ref.: MCCL-0079/24

**Figure:**

2

**Scale:**

Not to Scale

**Date:**

Dec., 2024

**MC Man Chi**  
Consultants And Construction Limited





**Project:**

Proposed Temporary Shop and Services ( Local Provision Store ) and Associated Filling of Land for a period of 3 Years at Lot No. 390 RP (Part) in DD 78 and Adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling, North, New Territories

**Title:**

Indicative Layout Plan

**Figure:**

4 (Rev)

**Scale:**

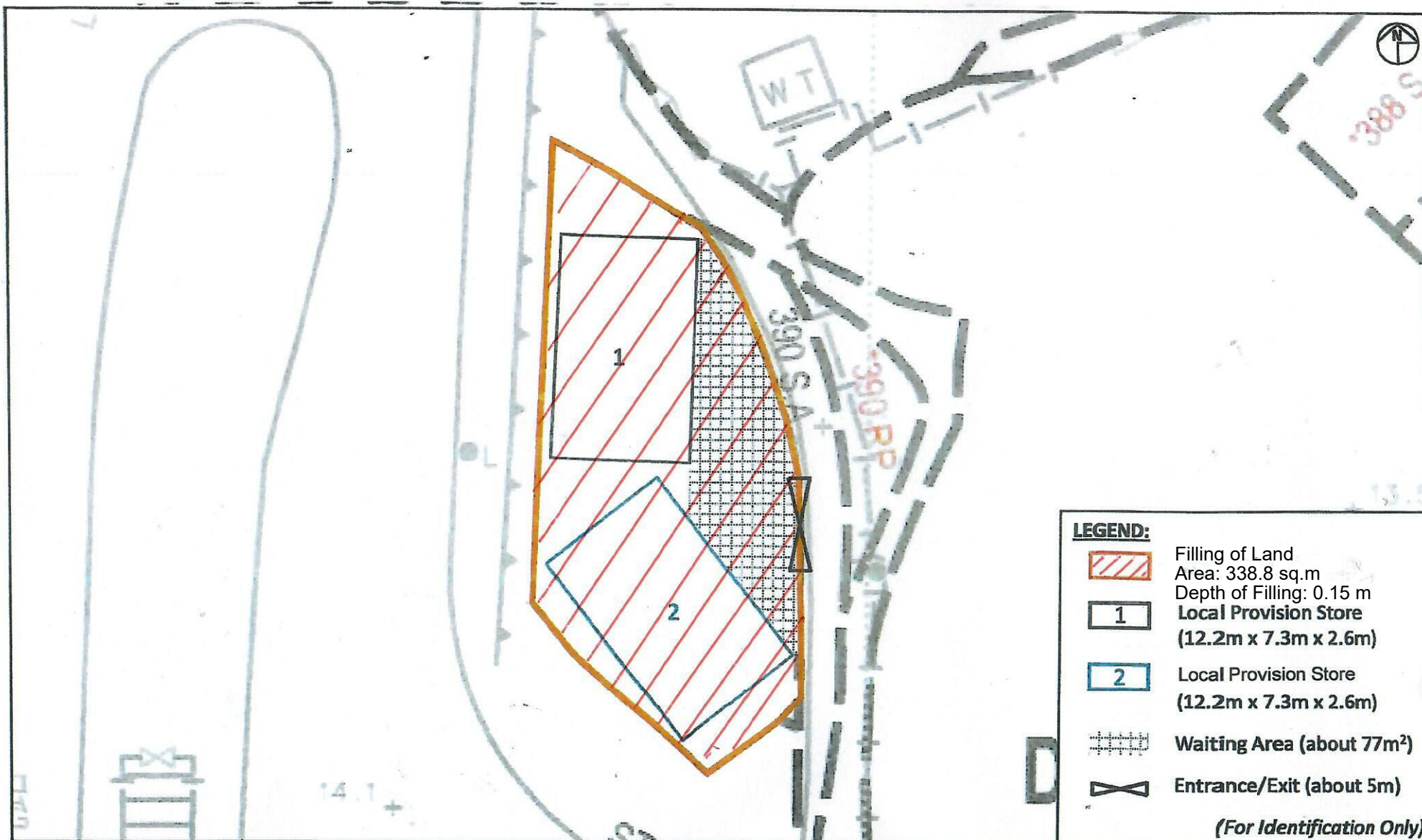
Not to Scale

**Date:**

Dec 2024

**MC Man Chi**  
Consultants And Construction Limited





**Project:**  
Proposed Temporary Shop and Services ( Local Provision Store ) and Associated Filling of Land for a period of 3 Years at Lot No. 390 RP (Part) in DD 78 and Adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling, North, New Territories

**Title:**  
Filling of Land Plan

**Figure:** 5

**Scale:**  
Not to Scale

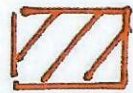
**Date:**  
Apr. 2025

**MC Man Chi**  
Consultants And Construction Limited



TPB/A/NE/-TKLN/95

## Illustration I



Application Site



Local Track footpath of about 3.5 m-wide





PK-A' ⇄

Illustration II -Showing the Entrance A of the Local Footpath







Pl. B →

Illustration III- Showing the Entrance B of the Local Footpath



Proposed Temporary Shop and Services (Local Provision Store) for a period of 3 Years at Lot 390 RP(Part) in DD 78 and the adjoining Government land, Tsung Yuen Ha, Ta Kwu Ling North, New Territories (Application No. A/NE-TKLN/95)

Comments From Transport Department	Responses
(a) The applicant should advise the loading/unloading arrangement for the proposed development-	<p>Due to the site constraint (i.e. 338.8 sq. m), No vehicle could be entering the application site. As such, loading and unloading space would also NOT be provided at the application site. The goods delivery will be by way of on-street delivery and only not more than twice per week. The delivery hours will be from 10:00 am to 11:00 am so as to avoid the peak traffic hours. It will only take about 10-15 minutes and the LGV delivering goods will only park/unload goods at the side track along the application site. They will leave the site immediately after delivery of goods so it would not cause any traffic problem to the subject area. This practice of goods delivery had been used by the previous approved development at Lot No. 410 S.B ss.2 and 410 S. B RP in DD 78 (i.e. temporary canteen and ancillary office under Planning Permission A/NE-TKLN/4 and A/NE-TKLN/22) for more than 6 years and it is anticipated that no additional traffic impact will be created.</p> <p>Moreover, the goods delivery LGV could simply enter into the nearby public carpark at Lot 388 A, 388 RP, 388 RP (Pt.) and 390 RP (Pt.) in DD 78 held under Planning Permission TPB/A/NE-TLN/75 which is also owned and managed by the applicant. The goods can easily be delivered to the application site by small trolley. it is anticipated that the application use would not create any additional traffic generation and attraction from and to the site nor incur any traffic impact to the nearby road links and junctions.</p>

(b) The applicant shall advise the provision and management of pedestrian facilities to ensure pedestrian safety-	The local footpath along the south-east side of the application site is about 3.5m width which is well enough to cater the villagers travelling thereat. If the application is approved, iron-bar or fencing will be erected to separate the application site from its nearby local footpath.
(c) The pedestrian access route should be illustrated on the layout plan.	Noted. Shown on Figure 2 and Illustration I, II & III.
(d) The indicative layout plan (figure 4) is unclear, please revise and resubmit; and.	Noted. Revised Figure 4 is resubmitted.
(e) The indicative layout plan (Figure 4) presents the structure 2 is for District Councillor's office, please review and resubmitted.	Noted. The two structures under application are of Local Provision Store Use. Revised Figure 4 resubmitted.
Comments from AFCD:	
The subject site falls within the "AGR" zone and is generally vacant. Agricultural infrastructures such as road access and water sources are available. The subject site can be used for agricultural activities such as open-field cultivation, greenhouse, plant nurseries, etc. As the subject site possesses potential for agricultural rehabilitation, the proposed development is not support from agricultural perspective.	The location of application site is quite unique when compared with other normal agricultural land. It is already surrounded/sandwiched by the Lin Ma Hang Road together with a pedestrian pavement and a well paved local footpath on the right. In addition, a 0.15 m(depth) concrete has been paved on the lot during its site formation period. Th site of which the private land involves in this application is quite small (i.e. 213.8 sq. m.in area (about 2301 sq. ft)). In accordance with the AFCD's prevailing policy, application for erection of agricultural structure/s, such as green house and agricultural storeroom on lot which is less than 3700 sq. ft. in area would normally Not encouraged / supported by AFCD. In view of the aforesaid grounds, the chance for rehabilitation of agricultural actives on the application is quite slim.
Comments from Lands Department	
(1) The application site comprises Old Schedule Agricultural Lot held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the	Noted.



<p>Government. No right of access via Government Land (GL) is granted to the application site.</p>	
<p>(2) In addition to the temporary “local provision store”, a district councillors’ office shown on the indicative layout plan is also proposed. As no information is provided in the applicants’ submission, the applicants should clarify on the proposed use. The proposed land exchange as mentioned in para. 5.3.2 in the submitted Planning Statement, is a permanent nature which is not consistent with the proposed temporary nature for shop and services use for a period of 3 years. The inclusion of adjoining GL as proposed by the applicants will not be considered under LandD’s prevailing policy.</p>	<p>I write to confirm that the proposed use is “Local Provision Store” Only. Indicative layout plan had all been amended. Please see Revised Figure 4.</p> <p>Para. 5.3.2 had been amended. The last sentence of Para. 5.3.2. would be replaced by “For inclusion of idle adjacent Government land under the proposed scheme, the applicant would apply to District Lands Office, North for regularization by way of Short Term Tenancy (STT) once the subject S.16 application is approved.”</p>
<p>(3) I must point out that the following irregularities covered by the subject planning application have been detected by this office:</p> <p><u>(i) Unauthorised Structure within the said private lot covered by the planning application</u></p> <p>There is unauthorised structure on the private lot extended to adjoining GL. The lot owners should immediately rectify the lease breaches and this office reserves the rights to take necessary lease enforcement action against the breaches without further notice.</p> <p><u>(ii) Unlawful occupation of Government land adjoining the said private lot with unauthorised structure covered by the planning application</u></p> <p>No consent is given for inclusion of GL (about 125m<sup>2</sup> as mentioned in the application form) in the application site. Part of the GL within the application site was illegally occupied with an unauthorised structure without any permission. Any occupation of GL without Government’s prior approval is offence under Cap. 28. LandDs objects</p>	<p>Noted</p> <p>Application for regularization of the unauthorised structures by way of Short Term Wavier (STW) would be submitted to District Lands Office, North for consideration as soon as the subject S.16 Application is approved.</p> <p>Noted.</p> <p>In accordance with Para. 1 (2) of Lands Department ‘s press release on 28.03.2017, unlawful occupation of government land that already commenced before 28.03.2017 would be considered by Lands Department if the applicant submits the application. The government land in question has been occupied by the applicant well before 28.03.2017. As such, the applicant will immediately submit to Lands Department for consideration of regularization of this</p>

to the planning application since there is illegal occupation of GL which regularization would not be considered according to the prevailing land policy. The lot owner(a) should immediately cease the illegal occupation of GL and remove	piece of Government land by way of Short Term Tenancy (STT) once the subject S.16 application is approved.
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☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy

**Brian Ching Hong CHAN/PLAND**

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**From:** YC Lit <>  
**Sent:** Wednesday, May 14, 2025 10:34 AM  
**To:** Timothy Wai Pui WU/PLAND <twpwu@pland.gov.hk>  
**Subject:** Re: A/NE-TKLN/95

Dear Mr. WU

Our telephone conversation this morning refers.

I write to confirm the the converted container placed on the application site is a vacant container only.

Regards  
LIT Ying cheung Edward.

**Government Departments' General Comments**

**1. Traffic**

Comments of the Commissioner for Transport (C for T):

- no objection to the application from the traffic engineering perspective;
- it is noted that no vehicular access to the application site (the Site) and no parking and loading/unloading spaces are proposed in the application; and
- her advisory comments are at **Appendix III**.

**2. Fire Safety**

Comments of the Director of Fire Services (D of FS):

- no objection in principle to the proposal subject to fire service installations and water supplies for firefighting being provided to his satisfaction; and
- his advisory comments are at **Appendix III**.

**3. Drainage**

Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

- no objection to the application from the public drainage viewpoint;
- should the application be approved, conditions should be included to request the applicants to submit and implement a drainage proposal for the Site to ensure that it will not cause adverse drainage impact on the adjacent areas. The drainage facilities should be properly maintained at all times during the planning approval period and rectified if they are found inadequate/ineffective during operation;
- the Site is in an area where public sewerage connection is not available; and
- her advisory comments are at **Appendix III**.

**4. Building Matters**

Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CB/NTW, BD):

- no objection to the application;

- it is noted that two structures (i.e. local provision stores according to the Indicative Layout Plan in the Planning Statement) are proposed in the application. Before any new building works (including containers/open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the Building Authority should be obtained unless they are exempted building works, designated exempted works or minor works commenced under the simplified requirements under the Buildings Ordinance (BO). Otherwise they are Unauthorized Building Works (UBW). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO; and
- his advisory comments are at **Appendix III**.

## 5. **Landscape**

Comments of the Chief Town Planning/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

- no adverse comment on the application from the landscape planning perspective; and
- with reference to the aerial photo of 2023, the Site is located in an area of rural inland plains landscape character surrounded by vegetated areas, scattered tree groups and small houses within the “Agriculture” (“AGR”) zone. Based on the site photos taken on 7.2.2025, the Site is hard paved with no significant sensitive landscape resources. Significant adverse impact on the landscape character and existing landscape resources within the Site arising from the proposed use is not anticipated.

## 6. **Environment**

Comments of the Director of Environmental Protection (DEP):

- no objection to the application from the environmental perspective;
- no environmental complaint against the Site was received in the past three years; and
- his advisory comments are at **Appendix III**.

## 7. **Other Departments**

The following government departments have no objection to/no comment on the application:

- (a) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (c) Head of the Geotechnical Engineering Office, Civil Engineering and Development Department ((H) GEO, CEDD);
- (d) Project Manager (North), CEDD (PM (N), CEDD);

- (e) Commissioner of Police (C of P); and
- (f) District Officer (North), Home Affairs Department (DO(N), HAD).

**Recommended Advisory Clauses**

- (a) failure to reinstate the application site (the Site) as required under the relevant approval condition upon expiry of the planning permission might constitute an unauthorized development under the Town Planning Ordinance and be subject to enforcement and prosecution actions;
- (b) to note the comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD) that:
  - (i) the Site comprises Old Schedule Agricultural Lot held under the Block Government Lease which contains the restriction that no structures are allow to be erected without the prior approval of the Government. No right of access via Government Land (GL) is granted to the Site;
  - (ii) the following irregularities covered by the planning application have been detected by his office:

unauthorised structure within the said private lot covered by the planning application

there is an unauthorised structure on the private lot extended to adjoining GL. The lot owners should immediately rectify the lease breaches and his office reserves the rights to take necessary lease enforcement action against the breaches without further notice;

unlawful occupation of GL adjoining the said private lot with unauthorised structure covered by the planning application

no consent is given for inclusion of GL (about 125m<sup>2</sup> as mentioned in the Application Form) in the Site. Part of the GL within the Site was illegally occupied with an unauthorised structure without any permission. Any occupation of GL without Government's prior approval is an offence under Cap. 28. There is illegal occupation of GL which regularisation would not be considered according to the prevailing land policy. The lot owner(s) should immediately cease the illegal occupation of GL and remove the unauthorised structures as demanded by LandsD. His office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice;

- (iii) the lot owner(s) shall cease the illegal occupation of the GL immediately; and, subject to the approval of the Town Planning Board to the planning application which shall have reflected the rectification as aforesaid required, apply to his office for Short Term Waiver (STW) to permit the structure(s) erected/to be erected. The application for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STW, if approved, will be on a whole lot basis and subject to such terms and conditions including the payment of back-dated waiver fee from the first date the unauthorised structure was erected and administrative fee as considered appropriate to be imposed by LandsD. In addition, LandsD reserves the right to take enforcement action against the lot owners for any breach of the lease conditions, including the breaches already in existence or to be detected at any point of time in future and land control action for any unlawful occupation of GL. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered;

- (iv) the applicants should comply with all the land filling requirements imposed by relevant Government departments. GL should not be disturbed unless with prior approval; and
  - (v) erection of unauthorised structures and illegal occupation of GL should not be encouraged. His office reiterated that LandsD's decision to permit the submission of regularisation application arising from case of unlawful occupation of GL before 28.3.2017 is purely discretionary, and that regularisation application will not necessarily be entertained or approved. Any occupation of GL without Government's prior approval is an offence. The lot owners should rectify the lease breaches and cease the illegal occupation of the GL immediately;
- (c) to note the comments of the Commissioner for Transport (C for T) that:
- (i) no vehicle is allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period; and
  - (ii) the loading and unloading activities will not affect pedestrian or vehicular traffic outside the Site;
- (d) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD) that:
- (i) the proposed access arrangement in the application should be subject to the Transport Department's review and approval;
  - (ii) adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public road and drains; and
  - (iii) the access road connecting to the Site with the nearby public road is not and will not be maintained by his office. His office should not be responsible for maintaining any access connecting to the Site;
- (e) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
- (i) the drainage facilities should be rectified if they are found inadequate/ineffective during operation;
  - (ii) the applicants should construct and maintain the proposed drainage facilities whether within or outside the subject lot(s) at his own expense; and
  - (iii) the Site is in an area where public sewerage connection is not available. The Environmental Protection Department (EPD) should be consulted regarding the sewage impact assessment and sewage treatment/disposal facilities for the proposed use;
- (f) to note the comments of the Director of Environmental Protection (DEP) that the applicants should follow the relevant mitigation measures and requirements in "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" and meet the statutory requirements under relevant pollution control ordinances;
- (g) to note the comments of the Director of Fire Services (D of FS) that:
- (i) in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. The applicants are advised to submit relevant layout plans



incorporated with the proposed FSIs to his department for approval. In addition, the applicants should also be advised on the following points:

- the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; and
  - the location of where the proposed FSI to be installed should be clearly marked on the layout plans; and
- (ii) the applicants are reminded that if the proposed structures are required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;
- (h) to note the comment of the Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD) that:
- (i) the proposed use is located within the proposed New Territories North (NTN) New Town under the Planning and Engineering (P&E) Study for NTN New Town and Man Kam To. The preliminary development proposal for NTN New Town was released in December 2024; and
- (ii) the Site falls within the proposed boundary of the Priority Development Area (PDA) in NTN New Town. Government-initiated works for the PDA may commence in 2028/29 the earliest. Subject to the land use planning in the P&E Study, the proposed use would need to be vacated for the site formation works. The applicants are advised to take account of the above if the proposed use is pursued; and
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) it is noted that two structures (i.e. local provision stores according to the Indicative Layout Plan in the Planning Statement) are proposed in the application. Before any new building works (including containers/open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the Building Authority should be obtained unless they are exempted building works, designated exempted works or minor works commenced under the simplified requirements under the BO. Otherwise they are Unauthorized Building Works (UBW). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO; and
- (ii) the applicants' attentions are drawn to the following points:
- the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively;
  - the Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at building plan submission stage;
  - for UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with the prevailing enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO;

- any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings and are subject to the control of Part VII of the B(P)R;
- the applicants' attention is drawn to the provision under regulations 40 and 41 of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations in respect of disposal of foul water and surface water respectively; and
- detailed checking under the BO will be carried out at building plan submission stage.

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

**To : Secretary, Town Planning Board**

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax : 2877 0245 or 2522 8426

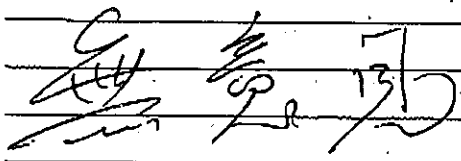
By e-mail : tpbpd@pland.gov.hk

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有關的規劃申請編號 The application no. to which the comment relates  
A/NE-TKLN/95

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

「提意見人」姓名/名稱 Name of person/company making this comment 侯志強議員

簽署 Signature



日期 Date 2023. 2.12

2

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review****參考編號**

250210-223354-37624

**Reference Number:****提交限期**

28/02/2025

**Deadline for submission:****提交日期及時間**

10/02/2025 22:33:54

**Date and time of submission:****有關的規劃申請編號**

A/NE-TKLN/95

**The application no. to which the comment relates:****「提意見人」姓名/名稱**

先生 Mr. MR,simon

**Name of person making this comment:****意見詳情****Details of the Comment :**

Within a 200-meter radius of this area, there are two small grocery stores. One is called Hon Sing and the other is lot 356. There is no real need for so many grocery stores in the parking lot area. Moreover, this place is the exit of Tsuen Yuen Ha village. The vehicle exit leads to a road where there is large volume of both pedestrians and vehicles. It is simply not suitable to set up such facilities here.



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**From:**  
**Sent:** 2025-02-26 星期三 03:50:35  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Subject:** A/NE-TKLN/95 DD 78 Tsung Yuen Ha

Dear TPB Members,

56 withdrawn. Back with a provision store.

Previous objections relevant and upheld.

Mary Mulvihill

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**From:**  
**To:** tpbpd <[tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk)>  
**Date:** Wednesday, 14 June 2023 2:55 AM HKT  
**Subject:** A/NE-TKLN/56 DD 78 Tsung Yuen Ha

A/NE-TKLN/56

Lot 390 RP (Part) in D.D. 78 and Adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling North

Site area : About 338.8sq.m Includes Government Land of about 125sq.m

Zoning: "Agriculture"

Applied use: District Councillor's Office / Shop / ??? Vehicle Parking

Dear TPB Members,

Strong Objections. The Applicant is abusing the concept of a public service for commercial purposes, to use land zoned for farming for commercial use.

The DC elections will not be held until Nov. It appears that the Applicant is already aware of who will be the local representative. This reinforces public suspicion that the 'election' results under the new system are predetermined.

Re retail store, there are multiple sites within the 'V' zone that can be used for this purpose.

That the site has been paved over and used for brownfield should not be a consideration as there has been unapproved use of the lot.

Members should reject the application on ethical if no other considerations.

Mary Mulvihill