

**Relevant Extracts of Town Planning Board Guidelines on**  
**Application for Open Storage and Port Back-up Uses**  
**(TPB PG-No. 13G)**

1. On 14.4.2023, the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13G) were promulgated, which set out the following criteria for the various categories of area:
  - (a) Category 1 areas: Favourable consideration will normally be given to applications within these areas, subject to no major adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions. Technical assessments should be submitted if the proposed uses may cause significant environmental and traffic concerns;
  - (b) Category 2 areas: Planning permission could be granted on a temporary basis up to a maximum period of 3 years, subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions. Technical assessments, where appropriate, should be submitted to demonstrate that the proposed uses would not have adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas;
  - (c) Category 3 areas: Applications would normally not be favourably considered unless the applications are on sites with previous planning approvals (irrespective of whether the application is submitted by the applicant of previous approval or a different applicant). Sympathetic consideration may be given if genuine efforts have been demonstrated in compliance with approval conditions of the previous planning applications and/or relevant technical assessments/proposals have been included in the fresh applications, if required, to demonstrate that the proposed uses would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas. Planning permission could be granted on a temporary basis up to a maximum period of 3 years, subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions;
  - (d) Category 4 areas: Applications would normally be rejected except under exceptional circumstances. For applications on sites with previous planning approvals (irrespective of whether the application is submitted by the applicant of previous approval or a different applicant), and subject to no adverse departmental comments and local objections, sympathetic consideration may be given if genuine efforts have been demonstrated in compliance with approval conditions of the previous planning applications and/or relevant technical assessments/proposals have been included in the fresh applications, if required, to demonstrate that the proposed uses would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas. The intention is however to encourage the phasing out of such non-conforming uses as early as possible. Planning permission for a maximum period of 3 years may be allowed for an applicant to identify suitable sites for relocation. Application for renewal of approval will be assessed on its individual merits; and
  - (e) Taking into account the demand for cross-boundary parking facilities, applications for such use at suitable sites in areas of close proximity to the boundary crossing points, such

as in the San Tin area, particularly near the existing cross-boundary link in Lok Ma Chau, may also be considered. Notwithstanding the criteria set out in paragraphs 2.1(c) and (d) above, application of such nature will be assessed on its own merits, including its nature and scale of the proposed use and the local circumstances, and subject to satisfactory demonstration that the proposed use would not have adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas, and each case will be considered on its individual merits.

2. In assessing applications for open storage and port back-up uses, the other major relevant assessment criteria are also summarized as follows:
  - (a) port back-up sites and those types of open storage generating adverse noise, air pollution, visual intrusion and frequent heavy vehicle traffic should not be located adjacent to sensitive receivers such as residential dwellings, hospitals, schools and other community facilities;
  - (b) port back-up uses are major generators of traffic, with container trailer/tractor parks generating the highest traffic per unit area. In general, port back-up sites should have good access to the strategic road network, or be accessed by means of purpose built roads;
  - (c) adequate screening of the sites through landscaping and/or fencing should be considered where sites are located adjacent to public roads or are visible from surrounding residential areas;
  - (d) there is a general presumption against conversion of active or good quality agricultural land and fish ponds to other uses on an ad-hoc basis. For flood prone areas or sites which would obstruct natural drainage channels and overland flow, advice should be sought; and
  - (e) for applications involving sites with previous planning approvals, should there be no evidence to demonstrate that the applicants have made any genuine effort to comply with the approval conditions of the previous planning applications, planning permission may be refused, notwithstanding other criteria set out in the Guidelines are complied with.

**Previous s.16 Applications**

**Approved Applications**

<b>Application No.</b>	<b>Uses/Developments</b>	<b>Date of Consideration</b>
A/NE-FTA/245	Proposed Temporary Open Storage of Containers and Vehicle Repair Workshop with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land and Pond	20.12.2024
A/NE-FTA/257	Proposed Temporary Warehouse for Storage of Construction Materials with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land	20.12.2024

**Similar s.16 Applications for Temporary Open Storage or Vehicle Repair Workshop  
in the vicinity of the Site within the “Agriculture” zone  
in the Fu Tei Au and Sha Ling Area**

**Approved Applications**

<b>Application No.</b>	<b>Uses/Developments</b>	<b>Date of Consideration</b>
A/NE-FTA/242	Proposed Temporary Vehicle Repair Workshop (Private Car) and Open Storage of Vehicles for a Period of 3 Years and Associated Filling of Land	20.9.2024
A/NE-FTA/244	Proposed Temporary Open Storage of Construction Materials for a Period of 3 Years and Associated Filling of Land	6.12.2024 (revoked on 6.12.2025)
A/NE-FTA/246	Proposed Temporary Open Storage of Construction Material and Machinery for a Period of 3 Years and Associated Filling of Land	25.10.2024
A/NE-FTA/251	Proposed Temporary Open Storage of Construction Materials and Machineries for a Period of 3 Years and Associated Filling of Land	4.10.2024
A/NE-FTA/260	Proposed Temporary Open Storage of Construction Machinery and Construction Materials and Associated Filling of Land for a Period of 3 Years	19.12.2025
A/NE-FTA/264	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) and Open Storage of Construction Material and Machineries with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years	27.2.2026
A/NE-FTA/269	Proposed Temporary Open Storage of Construction Machinery and Construction Materials and Associated Filling of Land for a Period of 3 Years	6.2.2026
A/NE-FTA/270	Proposed Temporary Warehouse and Open Storage of Construction Materials and Machinery and Associated Filling of Land for a Period of 3 Years	23.1.2026

**Government Departments' General Comments**

**1. Traffic**

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

- no comment on the application from traffic engineering perspective;
- should the application be approved, approval conditions on the submission and implementation of traffic management measures within 6 and 9 months respectively from the date of planning approval to the satisfaction of C for T or of the Town Planning Board, and shall be maintained at all times during the planning approval period shall be imposed; and
- her advisory comments are at **Appendix VI**.

Comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD):

- no comment on the application from highways maintenance perspective; and
- his advisory comments are at **Appendix VI**.

**2. Environment**

Comments of the Director of Environmental Protection (DEP):

- no objection to the application from environmental planning perspective, as no domestic dwelling is located within 100m from the site boundary, despite that the proposed uses involve the use of heavy vehicles;
- there was one substantiated environmental complaint pertaining to the application site (the Site) received in the past three years, which was related to suspected illegal filling of land/pond with construction and demolition waste at Lot 343 RP in D.D. 87, near lamp posts No. VG2962, VG2960 and VG2963 received in 2023. His site inspections revealed that some filling of land/pond have been conducted, but no on-going filling activities was observed. No violation of the Environmental Ordinances was observed. No enforcement action was taken by his office; and
- his advisory comments are at **Appendix VI**.

**3. Drainage**

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

- no in-principle objection to the application from public drainage perspective provided that a drainage impact assessment (DIA) would be submitted afterwards, with the assumption that the applicant can obtain consent from other private land owners for drainage discharge as mentioned under paragraph 5.7 of the submitted drainage proposal (**Appendix Ic**);

- should the application be approved, approval conditions should be included to request the applicant to submit a DIA, and flood mitigation measures proposed in the DIA and any other stormwater drainage facilities should be implemented and maintained at all times during the planning approval period; and
- her advisory comments are at **Appendix VI**.

#### 4. **Landscape**

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

- no adverse comment on the application from landscape planning perspective;
- based on the aerial photo taken in 2025, the Site is located in an area of urban peripheral village landscape character comprising temporary structures, warehouses, village houses, vegetated areas and tree clusters. The proposed uses are considered not entirely incompatible with the surrounding environment;
- with reference to site photos taken on 16.1.2026, the Site is partly paved and partly formed with temporary structures. The Site falls within Category 2 areas under the Town Planning Board Guidelines No. 13G for 'Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance'. According to the Application Form, tree felling is not involved. In view of the above, significant adverse landscape impact arising from the proposed uses is not anticipated; and
- her advisory comments are at **Appendix VI**.

#### 5. **Fire Safety**

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

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

#### 6. **Electricity Supply Safety**

Comments of the Director of Electrical and Mechanical Services (DEMS):

- no in-principle objection to the application from electricity supply safety aspect; and
- it is noted that there are 400kV extra high voltage overhead lines running across the Site, which is within the preferred working corridor of the concerned overhead lines as stipulated in the Hong Kong Planning Standards and Guidelines published by the Planning Department. The applicant and its contractor should strictly comply with the requirements pertaining to electricity supply safety and reliability as detailed in **Appendix VI**.

## 7. **Building Matters**

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

- no objection to the application;
- as there is no record of approval granted by the Building Authority for the existing structures at the Site, he is not in a position to offer comments on their suitability for the proposed uses; and
- his advisory comments are at **Appendix VI**.

## 8. **District Officer's Comments**

Comments of the District Officer (North), Home Affairs Department (DO(N), HAD):

- no comment on the application; and
- her advisory comments are at **Appendix VI**.

## 9. **Other Departments**

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

- Commissioner for Police (C for P);
- Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
- Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD); and
- Chief Engineer/Construction, Water Supplies Department (CE/C, WSD).

**Recommended Advisory Clauses**

- (a) to resolve any land issues relating to the development with the concerned owner(s) of the application site (the Site);
- (b) failure to reinstate 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;
- (c) to note the comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD) that:
- (i) no consent is given for inclusion of Government Land (GL) (about 2,565m<sup>2</sup>) in the Site;
- (ii) the following irregularities covered by the subject planning application have been detected by his office:
- Unauthorised structure within Lot 344 in D.D. 87 covered by the planning application

there are unauthorised structures in Lot 344 in D.D. 87. The lot owner(s) should immediately rectify the lease breaches and his office reserves the rights to take necessary lease enforcement action against the breaches without further notice;

LandsD has reservation on the planning application since there is/are unauthorised structure(s) on the private lot which is already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/regularise the lease breaches as demanded by LandsD; and
  - Unlawful occupation of GL adjoining Lots 343 RP and 344 in D.D. 87 with unauthorised structures covered by the planning application

the GL within the Site (about 2,565m<sup>2</sup>) has been fenced off and illegally occupied with unauthorised structures without any permission. Any occupation of GL without Government's prior approval is an offence under the Land (Miscellaneous Provisions) Ordinance (Cap. 28). LandsD objects to the planning application since 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. Besides, it is noted that the configuration of the Site is similar to the previous application No. A/NE-FTA/245 but the proposed vehicular and pedestrian entrances have been shifted to another location and the proposed new pond will be changed to an underground stormwater tank within the GL portion of the Site. The said underground stormwater tank as part of the drainage system should be contained in private lots;
- (iii) subject to the approval of the Town Planning Board to the planning application which shall have reflected the rectification or amendment as aforesaid required, the lot owners will need to apply to his office for modification of the Short Term Waiver (STW) conditions and/or new STW where appropriate to permit the structures proposed to be erected. The applications will be considered by the Government in its capacity as a landlord and there

is no guarantee that they will be approved. The STWs, if approved, will be on whole lot basis, and subject to such terms and conditions including the payment of waiver fees/rent and administrative fee as considered appropriate by LandsD. Besides, given the proposed use is temporary in nature, only erection of temporary structures will be considered; and

- (iv) the applicant should comply with all land filling requirements imposed by relevant government departments. GL should not be disturbed unless with prior approval;
- (d) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that the applicant should implement good site practices to avoid impacts on trees adjacent to the Site;
- (e) to note the comments of the Commissioner for Transport (C for T) that the access road connecting between the Site and Kong Nga Po Road is not managed by the Transport Department. The land status of the local access road should be checked with LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities. Sufficient manoeuvring space within the Site shall be provided. No vehicles is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD) that HyD is not/shall not be responsible for the maintenance of any access connecting the Site and the nearest public road; and adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (g) to note the comments of the Director of Environmental Protection (DEP) that the applicant should follow the requirements of the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' issued by the Environmental Protection Department (EPD); and follow the requirements of ProPECC PN 1/2023 'Drainage Plans subject to Comment by EPD' with certification by Authorized Person (AP) or employ licensed waste collector to properly dispose of the sewage regularly or connection to public sewer, if available; and to implement relevant mitigation measures listed in the Recommended Pollution Control Clauses for Construction Contracts ([https://www.epd.gov.hk/epd/english/environmentinhk/eia\\_planning/guide\\_ref/rpc.html](https://www.epd.gov.hk/epd/english/environmentinhk/eia_planning/guide_ref/rpc.html)) during filling of land and pond to avoid causing nuisance and sewage impact to the surroundings;
- (h) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that approval of the application does not imply approval of tree works such as pruning, transplanting, felling and compensatory/new tree planting. The applicant should seek approval for any proposed tree works from relevant government departments prior to commencement of the works;
- (i) to note the following comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
  - (i) the Site is in an area where no public sewerage connection is available;
  - (ii) no further land filling on the Site shall be allowed until the flood mitigation measures have been implemented to the satisfaction of DSD;
  - (iii) the applicant shall take all precautionary measures to prevent any disturbance, damage and pollution from the proposed uses to any parts of the existing drainage facilities, in the vicinity of the lots. In the event of any damage to the existing drainage facilities, the

applicant shall be held responsible for the cost of all necessary repair works, compensation and any other consequences arising there from;

- (iv) the applicant should be reminded to minimise the possible adverse environmental impacts on the existing watercourse in his/her design and during construction;
  - (v) the proposed drainage works, whether within or outside the site boundary, should be constructed and maintained properly by the applicant and rectify the system if it is found to be inadequate or ineffective during operation at his/her own expense;
  - (vi) for the proposed storage tank to be constructed at GL and works to be undertaken outside the lot boundary, the applicant should obtain prior consent and agreement from DLO/N, LandsD and/or relevant private lot owners/stakeholders in the surrounding areas;
  - (vii) the applicant should allow all time free access for the Government and its agent to conduct site inspection on his completed drainage works;
  - (viii) the applicant and the successive lot owners shall allow connections from the adjacent lots to the completed drainage works on GL when so required; and
  - (ix) the applicant should obtain consent from other private land owners for drainage discharge as mentioned under paragraph 5.7 of the submitted drainage proposal (**Appendix Ic**);
- (j) 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 applicant should submit relevant layout plans incorporated with the proposed FSIs to his satisfaction. In addition, the applicant should note that the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; the location of the proposed FSIs to be installed should be clearly marked on the layout plans; and
  - (ii) 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;
- (k) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that:
- (i) to observe the requirements of minimum safety clearance, minimum vertical clearance and preferred working corridor of the concerned overhead lines as stipulated in Clause 2.3.5, 2.3.6 and 2.3.14 under Chapter 7 – Utility Services of the Hong Kong Planning Standards and Guidelines published by the Planning Department and ensure they shall be maintained at any time during and after construction;
  - (ii) no scaffolding, crane and hoist shall be built or operated within 6m from the outermost 400kV conductors at all times. Warning notices should be posted at conspicuous locations to remind operators and workers of the site boundary. CLP Power shall be consulted on the safety precautions required for carrying out any works near the concerned overhead lines;
  - (iii) in any time during and after construction, CLP Power shall be allowed to get access to the working corridor area of the concerned overhead lines for carrying out any operation, maintenance and repair work including tree trimming; and

- (iv) the Electricity Supply Lines (Protection) Regulation (the Regulation) and the ‘Code of Practice on Working near Electricity Supply Lines’ established under the Regulation shall be observed by the applicant and his/her contractors when carrying out works in the vicinity of the electricity supply lines;
- (l) to note the comments of the District Officer (North), Home Affairs Department (DO(N), HAD) that during construction and upon completion of the works, the existing access road will not be narrowed or obstructed, and that pedestrian and vehicular access will be maintained at all times where applicable;
- (m) to note the comments of the Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD) that the proposed uses are 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. While the implementation programme of NTN New Town is being formulated under the P&E Study, the site formation works will likely commence soon after the completion of detailed design in next stage. Hence, the applicant is reminded that subject to the land use planning in the P&E Study, the proposed uses, if approved, may need to be vacated for the site formation works; and
- (n) to note the following comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) it is noted that six structures and filling of land are proposed in the application. Before any new building works are to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained unless they are exempted building works or commenced under the simplified requirement under the Minor Works Control system, otherwise they are unauthorized building works (UBW) under the BO. An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO; and
- (ii) the applicant’s attention is drawn to the following points:
- the Site shall be provided with emergency vehicular access in accordance with Regulation 41D of the Building (Planning) Regulations (B(P)R);
  - the Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined by the BA under Regulation 19(3) of the B(P)R at building plan submission stage;
  - if any existing structure is erected on leased land without the approval of the BA, they are UBW under the BO and should not be designated for any proposed uses under the planning application;
  - for UBW erected on leased land, enforcement action may be taken by 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 are subject to the control of Part VII of the B(P)R; and

- detailed checking under the BO will be carried out at building plan submission stage.

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**tpbpd/PLAND**

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寄件者: [REDACTED]  
寄件日期: 2026年02月18日星期三 3:38  
收件者: tpbpd/PLAND  
主旨: A/NE-FTA/273 DD 87 Kong Nga Po  
類別: Internet Email

A/NE-FTA/273

Lot Nos. 340 RP (Part), 341 RP (Part), 342 RP (Part), 343 RP, 344 (Part) in D.D. 87, Kong Nga Po, Sheung Shui

Site area: About 6,214sq.m Includes Government Land of about 2,565q. m

Zoning: "Agriculture"

Applied use: Open Storage and Vehicle Repair Workshop / 3 Vehicle Parking / **Filling of Land and Pond**

Dear TPB Members,

245 approved on 20 Dec 2024 with support from Sec for Dev. Now back with a much larger site and a big chunk of GL. More sob story about extensive search for sites when it is quite clear that the applicant recognizes that DevB is justifying land use that is totally incompatible with stated policy re eliminating brownfield, protecting ponds, etc. instead of being honest and **REZONING THE CAT 2 LOCATIONS TO OPEN STORAGE AND PORT BACK UP.**

Strong Objections to the duplicity and machinations involved in the process.

Mary Mulvihill

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**From:** [REDACTED]  
**To:** tpbpd <tpbpd@pland.gov.hk>  
**Date:** Wednesday, 4 December 2024 2:27 AM HKT  
**Subject:** Re: A/NE-FTA/245 DD 87 Kong Nga Po

Dear TPB Members,

Six months have passed since the previous round. It is now clear that the applicant is engaged in delaying tacticts while the unapproved business continues to operate.

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The application should be rejected.

Mary Mulvihill

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**From:** [REDACTED]  
**To:** tpbpd <tpbpd@pland.gov.hk>  
**Date:** Thursday, 6 June 2024 2:55 AM HKT  
**Subject:** A/NE-FTA/245 DD 87 Kong Nga Po

A/NE-FTA/245

Lots 342 RP (Part) and 343 RP in D.D. 87, Kong Nga Po, Sheung Shui

Site area: About 3,060sq.m

Zoning: "Agriculture"

Applied use: Open Storage and Vehicle Repair Workshop / 2 Vehicle Parking / **Filling of Land and Pond**

Dear TPB Members,

237 withdrawn and back with an even more destructive plan.

Previous objections relevant and upheld.

The lots are adjacent to 'GB' slopes. The impact of climate warming and the need to retain slopes and natural drainage ecosystem can no longer be ignored.

The application must be rejected.

Mary Mulvihill

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**From:** [REDACTED]  
**To:** tpbpd <tpbpd@pland.gov.hk>  
**Date:** Thursday, 18 January 2024 2:20 AM HKT  
**Subject:** A/NE-FTA/237 DD 87 Kong Nga Po

A/NE-FTA/237

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Lots 342 RP (Part) and 343 RP in D.D. 87, Kong Nga Po, Sheung Shui

Site area: About 3,060sq.m

Zoning: "Agriculture"

Applied use: Logistics Centre / Warehouse / 2 Vehicle Parking / **Filling of Land and Pond**

Dear TPB Members,

Strong Objections. The Applicant states that the development is in line with 2023 Policy Address.

There is no mention of filling in ponds in the document.

The district is not part of the planned NT new town development projects. Expectations are that agricultural land outside the Northern Metropolis footprint would be retained for designated use and to ensure that HK can meet its pledge to reach 10% local production of vegetables by end of decade.

The Site is currently subject to one planning enforcement action (No. E/NE-FTA/199) against unauthorized development (UD) involving filling of pond and filling of land in Lot Nos. 339(part), 340RP(part), 342RP(part) and 343RP(part) in D.D.87, and adjoining Government Land, Fu Tei Au, New Territories. The Enforcement Notice (No. E/NEFTA/199) was issued on 30.10.2023 requiring discontinuation of the UD by 13.11.2023. Since 30.10.2023, the Applicant has taken steps to prevent further aggregation of the situation by reenforcing the parameter and closely patrolling the Site.

In other words Destroy to Build activities.

TPB should not reward such activity. Moreover the applicant should be encouraged to unite with other logistic companies and develop together modern, state of the art logistic facilities. Relocation of brownfield sites does not meet the pledges to eliminate these activities.

Mary Mulvihill

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

參考編號  
**Reference Number:** 260205-130317-96443

提交限期  
**Deadline for submission:** 20/02/2026

提交日期及時間  
**Date and time of submission:** 05/02/2026 13:03:17

有關的規劃申請編號  
**The application no. to which the comment relates:** A/NE-FTA/273

「提意見人」姓名/名稱  
**Name of person making this comment:** CHAN

意見詳情  
**Details of the Comment :**

城市規劃委員會秘書處  
鄉郊及新市鎮規劃小組委員會  
香港北角渣華道 333 號  
北角政府合署 15 樓

有關申請編號A/NE-FTA/273(以下稱“有關申請”),位於上水缸瓦甫丈量約份第87約多個地段和毗連政府土地,擬議臨時露天存放貨櫃及汽車修理工場連附屬設施及相關填土及填塘工程(為期3年)

有關申請相比上次申請編號A/NE-FTA/245,總面積由3,060平方米大幅提升至6,214平方米,而且包括大量政府土地,相關政府土地面積佔有關申請2,565平方米,佔總面積41.3%(附件1黃色位置),貴處可留意由2023、2024、2025年航攝照片見到相關黃色位置由原有的綠化植被、水塘被剷平及鋪上大量填土物料。

貴處在處理有關申請時,需慎重考慮該申請人藉貴處批出的規劃許可或包含政府土地,而破壞政府土地內已有的天然排水系統、水塘、臨時構築物、植被、果樹、而並未得到地政署的批准。有關申請內之政府土地被“先破壞、後申請”。貴處不應縱容申請人包函大量公眾所屬之政府土地於有關申請當中,否則相關政府土地被嚴重破壞佔用而不能收復。

此致

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

參考編號  
Reference Number: 260205-130437-61851

提交限期  
Deadline for submission: 20/02/2026

提交日期及時間  
Date and time of submission: 05/02/2026 13:04:37

有關的規劃申請編號  
The application no. to which the comment relates: A/NE-FTA/273

「提意見人」姓名/名稱  
Name of person making this comment: CHAN

意見詳情  
Details of the Comment :

城市規劃委員會秘書處  
鄉郊及新市鎮規劃小組委員會  
香港北角渣華道 333 號  
北角政府合署 15 樓

有關申請編號A/NE-FTA/273(以下稱“有關申請”)，位於上水缸瓦甫丈量約份第87約多個地段和毗連政府土地，擬議臨時露天存放貨櫃及汽車修理工場連附屬設施及相關填土及填塘工程（為期3年）

有關申請相比上次申請編號A/NE-FTA/245，總面積由3,060平方米大幅提升至6,214平方米，而且包括大量政府土地，相關政府土地面積佔有關申請2,565平方米，佔總面積41.3%(附件1黃色位置)，貴處可留意由2023、2024、2025年航攝照片見到相關黃色位置由原有的綠化植被、水塘被剷平及鋪上大量填土物料。

貴處在處理有關申請時，需慎重考慮該申請人藉貴處批出的規劃許可或包含政府土地，而破壞政府土地內已有的天然排水系統、水塘、臨時構築物、植被、果樹、而並未得到地政署的批准。有關申請內之政府土地被“先破壞、後申請”。貴處不應縱容申請人包函大量公眾所屬之政府土地於有關申請當中，否則相關政府土地被嚴重破壞佔用而不能收復。

此致

=2

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

參考編號  
Reference Number: 260201-141155-15482

提交限期  
Deadline for submission: 20/02/2026

提交日期及時間  
Date and time of submission: 01/02/2026 14:11:55

有關的規劃申請編號  
The application no. to which the comment relates: A/NE-FTA/273

「提意見人」姓名/名稱  
Name of person making this comment: 先生 Mr. 賴先生

意見詳情  
Details of the Comment :

尊敬的城鎮規劃委員會主席 / 規劃署署長：

本人為才記有機農場

負責人

。本人特此就規劃申請編號 A/NE-FTA/273 提出正式反對，強烈反對申請人興仁行有限公司（下稱「該公司」）利用政府土地作牟利用途興建貨櫃場、修車場及相關設施。該申請若獲批准，將嚴重損害本地農業、生態環境、交通安全及社區利益，並開壞先例，鼓勵其他牟利機構非法佔用公地。

以下為詳細反對理由及負面影響：

1. 違反公地使用原則及開壞先例：申請範圍為政府土地，申請人為牟利公司（非社區、團體或非牟利組織）。若批准此申請，等同默許私人企業以牟利為目的長期佔用公地，違反土地資源公平分配及可持續發展原則。日後其他類似申請均可援引先例，進一步侵蝕公眾土地資源，損害香港整體土地政策。

2. 侵佔農場農業用地及種植植物：申請範圍部分已由本農場種植作物，用作正當農業用途。本農場為有機農場（獲有機資源中心認證），依賴自然耕作模式。若批准，農場必定蒙受直接經濟損失，包括作物損毀、土壤污染及未來產量下降。估計損失包括：香蕉樹及果樹（龍眼、荔枝等），加上有機認證重檢、土壤修復及營運中斷。本農場堅決反對任何侵佔農業用地之發展。

3. 未獲批准前已非法佔用政府土地及農場範圍：該公司在未取得規劃批准下，已佔用政府土地放置車輛及貨櫃作牟利用途；同時擅自霸佔本農場租用範圍作為貨櫃場出入口。本農場事後已報警處理，並以鐵絲網圍封相關範圍。此違規先佔用行為明顯違反《城市規劃條例》及土地使用規定，顯示申請人無視法規，誠信不足。

4. 出入口位置不符及強行通過農場範圍：原申請出入口位置必須經過本農場範圍，但本農場現已種植植物，絕對不同意提供任何通行權。大型貨櫃車出入必定損毀附近植物、壓實土壤、增加揚塵及噪音，嚴重影響有機作物生長及生態平衡。現時該公司實際使用上方窄小道路作為出入口，經常造成交通阻塞，尤其現時通往警察學院之巴士路線已通車，更加劇阻塞問題，妨礙本地居民、農場車輛及緊急服務出入，增加交通事故風險。

5. 開墾土地引致山泥傾瀉風險：該公司開墾政府土地，破壞原有植被及坡面穩定，極大增加山泥傾瀉風險。本農場位處下游，一旦發生傾瀉，將導致農田、水浸、作物全毀及財產損失。香港多山地形，此類風險已有多宗慘痛教訓，絕不容忽視。

6. 排水系統不符及嚴重油污污染：排水管及排水渠位置與原申請不符；修車場排放大量油污及污水，直接流入本農場，導致土壤及水源污染，重金屬積聚影響農作物安全及有

機認證。長期污染更威脅地下水層及附近居民健康，違反《水污染管制條例》。

7. 環境污染、交通及健康影響：大量貨櫃車同時出入及停泊政府土地，與原規劃目的不符，引致沙塵滾滾、廢氣及噪音污染，嚴重影響農作物（葉面損傷、減產約10%）及人體健康（呼吸道疾病風險增加）。只有一條小路出入，經常阻塞，影響社區生活質素。

8. 未履行承諾及欺騙性提交：該公司先前承諾填平原有水塘後，在上方政府土地重新興建新水塘，但現時填平水塘位置已用作牟利用途，上方原承諾水塘位置反成出入口。申請提交之相片使用舊有圖片，隱瞞水塘已被完全填平之事實，涉嫌誤導規劃委員會，誠信嚴重成疑。

本人強烈要求城鎮規劃委員會：

- 拒絕批准該規劃申請 A/NE-FTA/273。
- 立即調查該公司違規先佔用及環境破壞行為。
- 若證實違規，要求該公司恢復土地原狀。
- 加強對政府土地牟利用途申請之審批及監管。

tpbpd/PLAND

3 "附加"

寄件者: [REDACTED]  
寄件日期: 2026年02月03日星期二 12:21  
收件者: tpbpd/PLAND  
主旨: 強烈反對規劃申請編號 A/NE-FTA/273 – 興仁行有限公司於政府土地興建貨櫃場及相關設施  
附件: 1.HEIC; 2.PNG; 3.HEIC; 4.HEIC; 5.HEIC; 6.HEIC; 7.HEIC; 8.PNG  
類別: Internet Email

致城市規劃委員會秘書  
尊敬的城鎮規劃委員會主席 / 規劃署署長：

本人為才記有機農場 [REDACTED] 負責人 [REDACTED]。本人特此就規劃申請編號 A/NE-FTA/273 提出正式反對，強烈反對申請人興仁行有限公司（下稱「該公司」）利用政府土地作牟利用途興建貨櫃場、修車場及相關設施。該申請若獲批准，將嚴重損害本地農業、生態環境、交通安全及社區利益，並開壞先例，鼓勵其他牟利機構非法佔用公地。

以下為詳細反對理由及負面影響：

#### 1. 違反公地使用原則及開壞先例

申請範圍為政府土地，申請人為牟利公司（非社區、團體或非牟利組織）。若批准此申請，等同默許私人企業以牟利為目的長期佔用公地，違反土地資源公平分配及可持續發展原則。日後其他類似申請均可援引先例，進一步侵蝕公眾土地資源，損害香港整體土地政策。

#### 2. 侵佔農場農業用地及種植植物

申請範圍部分已由本農場種植作物，用作正當農業用途。本農場為有機農場（獲有機資源中心認證），依賴自然耕作模式。若批准，農場必定蒙受直接經濟損失，包括作物損毀、土壤污染及未來產量下降。估計損失包括：香蕉樹及果樹（龍眼、荔枝等），加上有機認證重檢、土壤修復及營運中斷。本農場堅決反對任何侵佔農業用地之發展。

#### 3. 未獲批准前已非法佔用政府土地及農場範圍

該公司在未取得規劃批准下，已佔用政府土地放置車輛及貨櫃作牟利用途；同時擅自霸佔本農場租用範圍作為貨櫃場出入口。本農場事後已報警處理，並以鐵絲網圍封相關範圍。此違規先佔用行為明顯違反《城市規劃條例》及土地使用規定，顯示申請人無視法規，誠信不足。

#### 4. 出入口位置不符及強行通過農場範圍

原申請出入口位置必須經過本農場範圍，但本農場現已種植植物，絕對不同意提供任何通行權。大型貨櫃車出入必定損毀附近植物、壓實土壤、增加揚塵及噪音，嚴重影響有機作物生長及生態平衡。

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現時該公司實際使用上方窄小道路作為出入口，經常造成交通阻塞，尤其現時通往警察學院之巴士路線已通車，更加劇阻塞問題，妨礙本地居民、農場車輛及緊急服務出入，增加交通事故風險。

#### 5. 開墾土地引致山泥傾瀉風險

該公司開墾政府土地，破壞原有植被及坡面穩定，極大增加山泥傾瀉風險。本農場位處下游，一旦發生傾瀉，將導致農田、水浸、作物全毀及財產損失。香港多山地形，此類風險已有多宗慘痛教訓，絕不容忽視。

#### 6. 排水系統不符及嚴重油污污染

排水管及排水渠位置與原申請不符；修車場排放大量油污及污水，直接流入本農場，導致土壤及水源污染，重金屬積聚影響農作物安全及有機認證。長期污染更威脅地下水層及附近居民健康，違反《水污染管制條例》。

#### 7. 環境污染、交通及健康影響

大量貨櫃車同時出入及停泊政府土地，與原規劃目的不符，引致沙塵滾滾、廢氣及噪音污染，嚴重影響農作物（葉面損傷、減產約 10%）及人體健康（呼吸道疾病風險增加）。只有一條小路出入，經常阻塞，影響社區生活質素。

#### 8. 未履行承諾及欺騙性提交

該公司先前承諾填平原有水塘後，在上方政府土地重新興建新水塘，但現時填平水塘位置已用作牟利用途，上方原承諾水塘位置反成出入口。申請提交之相片使用舊有圖片，隱瞞水塘已被完全填平之事實，涉嫌誤導規劃委員會，誠信嚴重成疑。

本人強烈要求城鎮規劃委員會：

- 拒絕批准該規劃申請 A/NE-FTA/273。
- 立即調查該公司違規先佔用及環境破壞行為。
- 若證實違規，要求該公司恢復土地原狀。
- 加強對政府土地牟利用途申請之審批及監管。

本人附上相關證據，包括：現場照片、報警記錄等。若需進一步資料或現場視察，請隨時聯絡本人。感謝規劃署及城鎮規劃委員會重視公眾意見，保障農業、生態及社區利益。期待盡快回覆及正面決定。

此致  
敬禮  
賴先生  
才記有機農場

日期：2026 年 2 月 3 日

圖 1 現在已霸佔政府土地停泊貨櫃及車輛作牟利用途

圖 2 現在位於本次規劃申請的範圍內的本農場已種植香蕉樹及其他植物的位置

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圖 3 該公司在未取得規劃申請批准便已經在開墾政府土地的證明

圖 4 該公司目前使用窄小道路的證明

圖 5 該公司目前已經興建的排水系統位置

圖 6 該公司正在存放能造成油污污染的設備

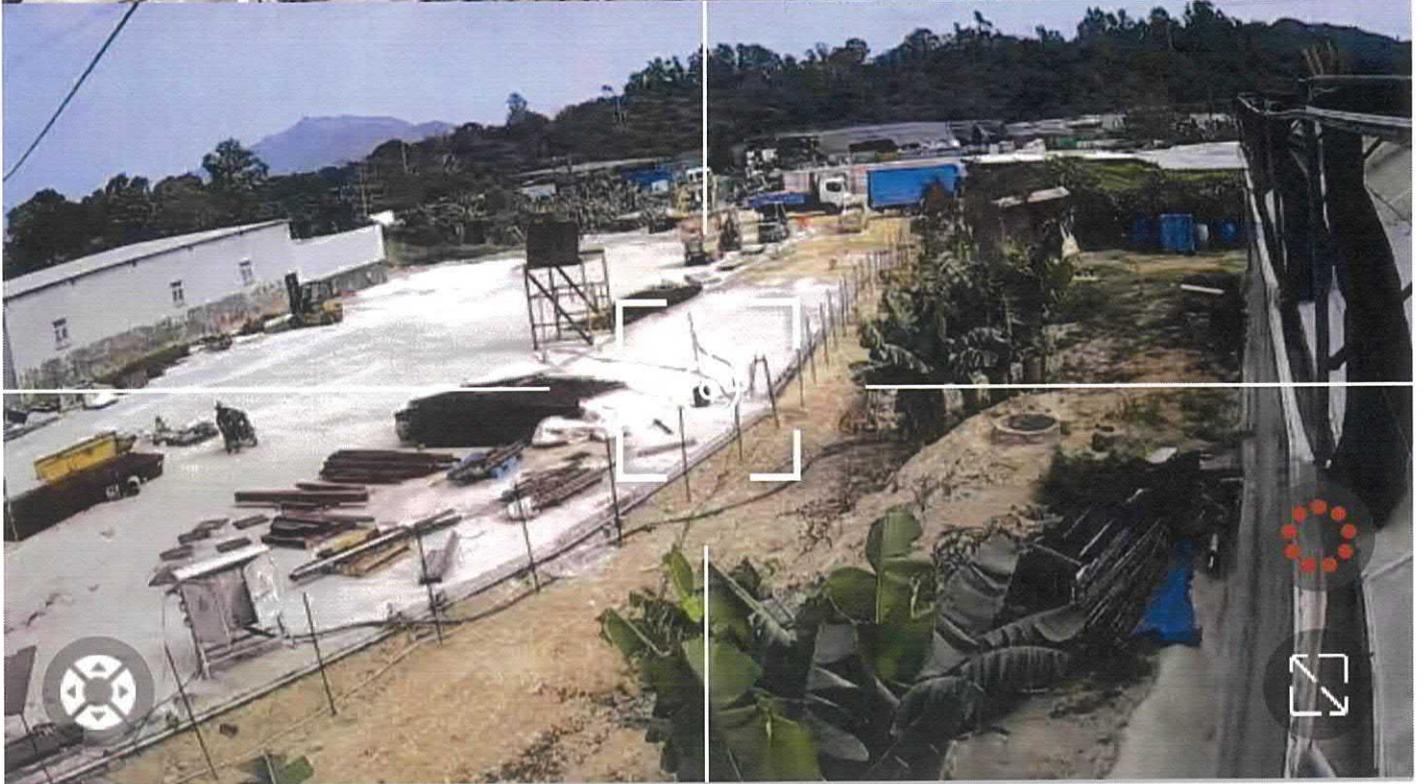
圖 7 報案紀錄，證明該公司先前已經嘗試霸佔本農場的範圍

圖 8 現時已經填平的水塘位置，證明該公司及其規劃申請公司隱瞞實際情況

2026-02-01 13:55:26



2026-02-01 13:57:38



城市規劃委員會秘書處

5/2/2026

4

鄉郊及新市鎮規劃小組委員會

香港北角渣華道 333 號

北角政府合署 15 樓

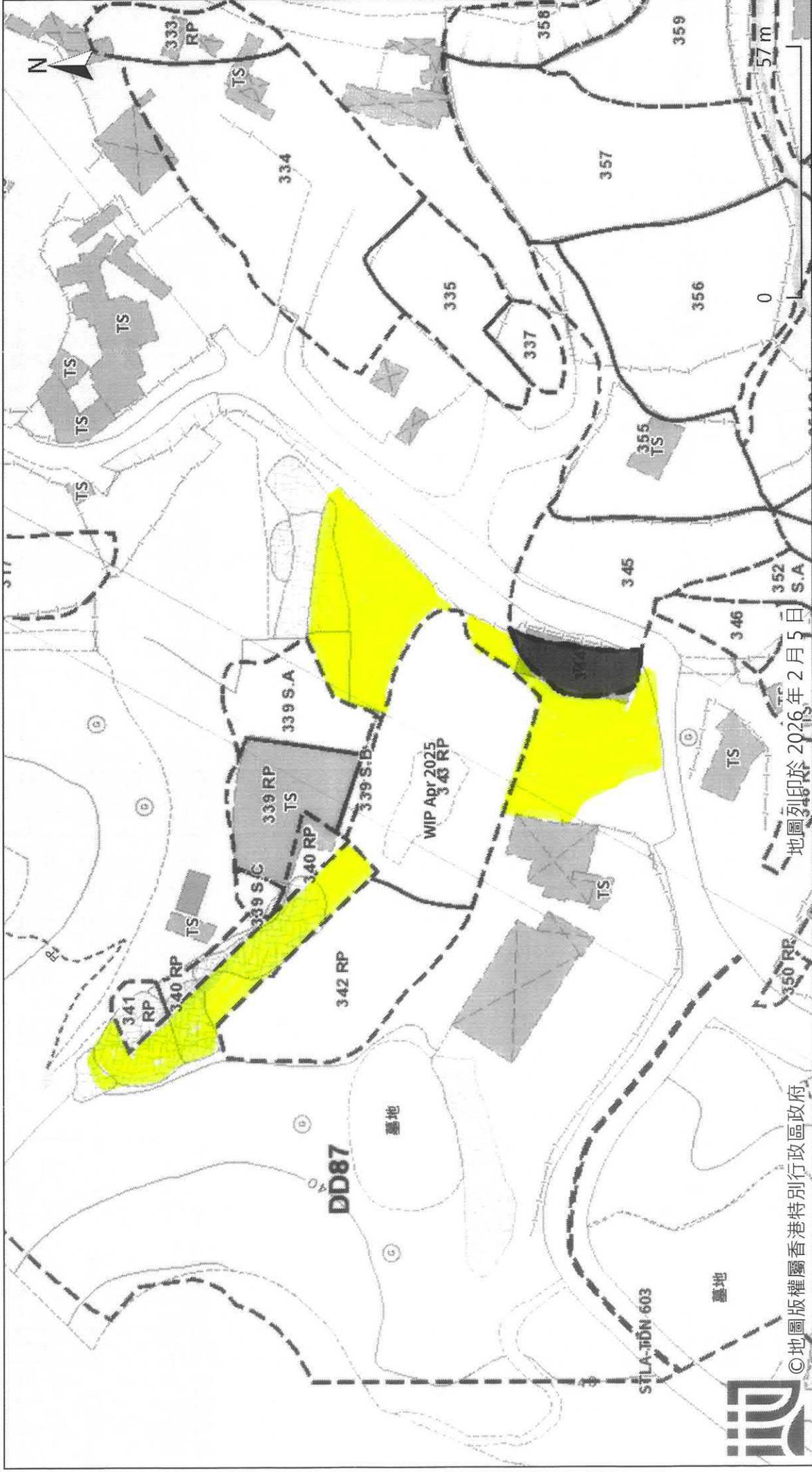
有關申請編號 A/NE-FTA/273(以下稱“有關申請”)，位於上水缸瓦甫丈量約份第 87 約多個地段和毗連政府土地，擬議臨時露天存放貨櫃及汽車修理工場連附屬設施及相關填土及填塘工程（為期 3 年）

有關申請相比上次申請編號 A/NE-FTA/245，總面積由 3,060 平方米大幅提升至 6,214 平方米，而且包括大量政府土地，相關政府土地面積佔有關申請 2,565 平方米，佔總面積 41.3%(附件 1 黃色位置)，貴處可留意由 2023、2024、2025 年航攝照片見到相關黃色位置由原有的綠化植被、水塘被剷平及鋪上大量填土物料。

貴處在處理有關申請時，需慎重考慮該申請人藉貴處批出的規劃許可或包含政府土地，而破壞政府土地內已有的天然排水系統、水塘、臨時構築物、植被、果樹、而並未得到地政署的批准。有關申請內之政府土地被“先破壞、後申請”。貴處不應縱容申請人包函大量公眾所屬之政府土地於有關申請當中，否則相關政府土地被嚴重破壞佔用而不能收復。

此致





香港新界本地農協會



強烈反對規劃申請編號 A/NE-FTA/273  
興仁行有限公司於政府土地興建貨櫃場及相關設施

致城市規劃委員會秘書

尊敬的城市規劃委員會主席／規劃署署長：

我們為居住在上水缸瓦甫的居民聯合代表，就規劃申請編號 A/NE-FTA/273 提出正式及強烈反對。

申請人興仁行有限公司擬於政府土地興建臨時露天貨櫃場、汽車修理工場及相關設施(包括防衛牆、圍欄、填土、排水等工程)。我們堅決反對此申請。一旦批准，將對本地農業、生態環境、交通安全及社區福祉造成不可逆轉的嚴重損害，並開啟私人企業長期非法佔用公地的惡劣先例。

主要反對理由如下：

1. 違反公地使用原則及開壞先例申請地屬政府土地，申請人為純商業牟利公司。批准此申請等同默許私人長期佔用公地作商業用途，違反土地資源公平分配及可持續發展原則，並將引發更多類似侵佔行為。
2. 直接侵佔農業用地及破壞現有作物申請範圍部分土地現為合法農業用途，已種植香蕉、龍眼、荔枝等果樹。相關工程將切割土地、損毀作物、破壞土壤結構，嚴重影響產量及品質，造成重大經濟損失。
3. 嚴重污染威脅農業及有機認證貨櫃場及修車場營運將產生揚塵、廢氣、噪音及化學污染物(包括油污、重金屬及污水)，透過空氣、雨水及土壤滲透污染農地及農產品，極可能導致有機認證被撤銷，社區農業收入大幅下降(預計超過50%)，並造成長期土壤及水源污染。
4. 未經批准已非法佔用土地申請人在未獲許可下，已擅自放置貨櫃及車輛，並霸佔社區範圍作為出入口，違反《城市規劃條例》及土地使用規定，顯示缺乏基本守法誠信。
5. 出入口位置不當，嚴重影響交通及安全申請出入口須穿越社區農地，大型貨櫃車出入將壓實土壤、損毀作物、產生大量塵土及噪音，並造成嚴重交通阻塞，威脅居民及緊急服務安全。
6. 填土及開墾增加山泥傾瀉風險大規模填土及填塘工程破壞坡面穩定，顯著提升山泥傾瀉風險。社區位處下游，一旦發生意外，將導致農田水浸、作物全毀及財產重大損失。

7. 油污及污水違反環保法例修車場排放的油污、重金屬及污水將污染土壤及水源，違反《水污染管制條例》，危害居民健康及社區農業信譽。

8. 申請資料涉嫌誤導申請文件使用舊照片，隱瞞水塘已被填平的事實，並改變先前承諾的重建水塘位置，涉嫌誤導規劃委員會。

我們強烈要求：

- 立即拒絕批准規劃申請 A/NE-FTA/273，以維護香港農業及社區最後防線；
- 徹查申請人非法佔用及環境破壞行為；
- 責令違規者即時恢復土地原狀；
- 加強監督政府土地商業用途申請，杜絕類似情況。

我們已備妥現場照片、報警記錄等證據，並願意配合現場視察。

感謝貴會重視公眾意見，維護香港農業、生態環境及社區可持續發展。懇請盡快作出公正決定並回覆。

此致  
敬禮

缸瓦甫居民聯合代表

香港新界本地農協會

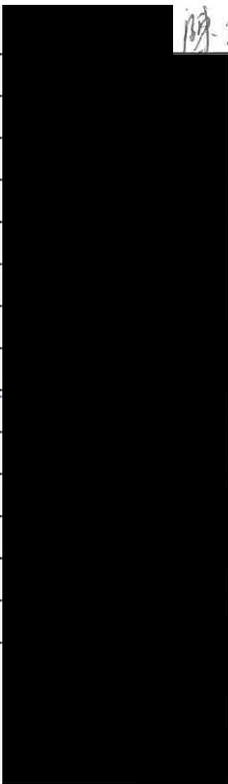


黃十培

村民聯署簽名



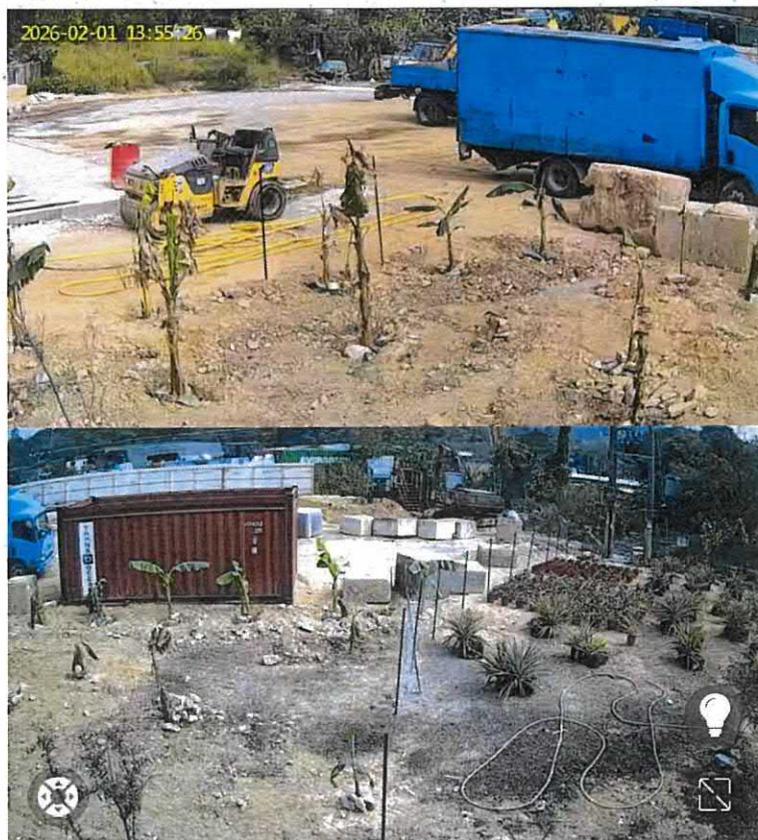
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梁佛彭  
陳志文  
楊焯榮  
李彩雲  
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梁創珍  
賴網芳  
何網德  
賴嘉忠  
梁角倫  
江  
吳江林  
馮少流  
鍾瑞英  
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陳勇濤  
關天舜  
黃張柳  
張渭鏡  
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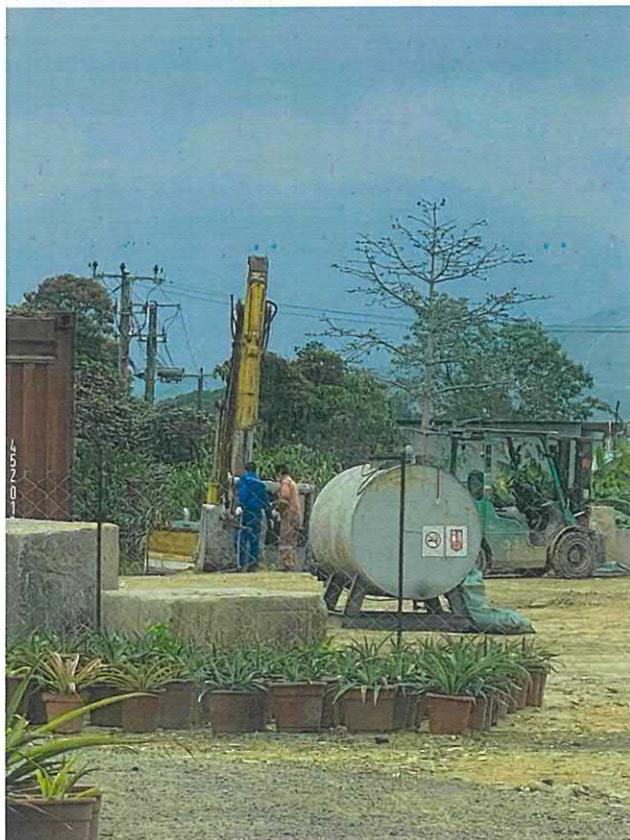
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何浩超  
張玉鳳  
徐玉瑛  
吳昌榮  
何鳳芝  
賴漢才  
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馬國維  
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賴耀文  
馮少流  
廣學真  
周自輝  
何文車  
趙雪蓮

日期：2026-02-11

下圖為已經種植農作物範圍，若規劃申請通過必須損毀作物



下圖為該公司可能造成有污染的設備，並已經存放在未經批准的政府土地上



下圖為農場負責人的報警記錄，由於該公司於早前企圖霸佔未經批准的農場範圍



下圖為該公司現時使用的車輛進出口小路，可見只能勉強通過大型貨櫃車；會嚴重影響本地居民出入、造成交通阻塞及影響緊急車輛服務

