

**Relevant Extract of the Town Planning Board Guidelines for**  
**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 or if required, 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; and
  - (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.

2. In assessing applications for open storage and port back-up uses, the other major relevant assessment criteria are also summarised as follows:
  - (a) port back-up sites and those types of open storage uses 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 provided 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 covering the Application Site**

*Rejected Applications*

	<b>Application No.</b>	<b>Applied Use(s)/Development(s)</b>	<b>Zoning(s)</b>	<b>Date of Consideration</b>	<b>Rejection Reasons</b>
1	A/YL-HT/414	Temporary Racing Circuit for a Period of 3 Years	“AGR”, “GB”	29.7.2005	1, 2, 5
2	A/YL-HT/950	Proposed Temporary Open Storage of Metal Ware for a Period of 3 Years	“AGR”	9.10.2015	1, 3, 4, 5
3	A/YL-HT/1029	Proposed Temporary Open Storage of Brand-New Vehicles (Private Cars and Light Goods Vehicles) for a Period of 3 Years	“AGR”	6.1.2017 (on review)	1, 4, 5

Rejection Reasons:

1. No strong justification for a departure from the planning intention(s).
2. Insufficient information to demonstrate that the proposed development would not generate adverse environmental, ecological, traffic, drainage, geotechnical, landscape and visual impacts on the site and the adjacent Deep Bay, Sheung Pak Nai and Ha Pak Nai areas.
3. Not compatible with the rural neighbourhood.
4. Not in line with the Town Planning Board Guidelines No. 13E for Application for Open Storage and Port Back-up Uses. The site had no previous planning approval and there were adverse comments from government departments on the agricultural, landscape and environmental aspects and/or there were local objections. The applicant failed to demonstrate that the proposed development would not generate adverse landscape and environmental impacts. There was insufficient information to demonstrate that the development would not generate adverse landscape and environmental impacts.
5. Setting an undesirable precedent.

**Similar s.16 Applications within/straddling the same “Agriculture” Zones  
in the past five years on the Ha Tsuen Fringe OZP**

*Approved Applications*

	<b>Application No.</b>	<b>Applied Use(s)/Development(s)</b>	<b>Zoning(s)</b>	<b>Date of Consideration</b>
1	A/YL-HTF/1133	Proposed Temporary Open Storage of New Vehicles (Private Cars), Construction Materials, Machineries, Equipment and Storage of Tools and Parts with Ancillary Site Office for a Period of Three Years and Filling of Land and Ponds	“AGR”	10.6.2022 (Revoked on 10.3.2024)
2	A/YL-HTF/1150	Proposed Temporary Warehouse (Storage of Construction Materials, Metal and Electronic Parts) and Open Storage of Construction Materials for a Period of 3 Years	“AGR” and “R(D)”	17.3.2023 (Revoked on 17.9.2024)
3	A/YL-HTF/1155	Proposed Temporary Open Storage of Construction Materials for a Period of 3 Years	“AGR”	11.8.2023 (Revoked on 11.2.2025)
4	A/YL-HTF/1166	Renewal of Planning Approval for Temporary Open Storage of New Vehicles (Private Cars), Construction Materials, Machineries, Equipment and Storage of Tools and Parts with Ancillary Site Office for a Period of 3 Years and Filling of Land and Pond	“AGR”	1.3.2024
5	A/YL-HTF/1179	Proposed Temporary Open Storage of Construction Materials and Machinery and Storage of Tools and Parts with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land	“AGR”	20.12.2024
6	A/YL-HTF/1182	Proposed Temporary Open Storage of Construction Materials for a Period of 3 Years and Associated Filling of Land	“AGR”	6.6.2025
7	A/YL-HTF/1185	Temporary Open Storage of Construction Materials with Ancillary Site Office for a Period of 3 Years and Associated Filling of Land	“AGR”	6.6.2025
8	A/YL-HTF/1190	Temporary Warehouse (Storage of Construction Materials, Metal and Electronic Parts) and Open Storage of Construction Materials with Ancillary Office and Associated Filling of Land for a Period of 3 Years	“AGR”	15.8.2025
9	A/YL-HTF/1193	Proposed Temporary Open Storage of Construction Materials and Machinery with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years	“AGR”	19.9.2025

10	A/YL-HTF/1198	Proposed Temporary Open Storage of Construction Materials and Associated Filling of Land for a Period of 3 Years	“AGR”	23.1.2026
11	A/YL-HTF/1203	Proposed Temporary Open Storage of Construction Materials and Machinery with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years	“AGR”	23.1.2026

**Government Bureau/Departments' General Comments**

1. **Land Administration**

Comments of the District Lands Officer/Yuen Long, Lands Department (DLO, LandsD):

- no objection to the application;
- the Site comprises Government land (GL) and Old Schedule Agricultural Lot(s) held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government;
- no permission is given for occupation of GL (about 330m<sup>2</sup> subject to verification) included in the application site (the Site). Any occupation of GL without Government's prior approval is an offence under Cap. 28 – Land (Miscellaneous Provisions) Ordinance; and
- advisory comments as detailed in **Appendix V**.

2. **Traffic**

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

- no objection to the application from highway maintenance perspective; and
- advisory comments as detailed in **Appendix V**.

3. **Environment**

Comments of the Director of Environment Protection (DEP):

- no objection to the application from environmental planning perspective;
- there was no substantial environmental complaint pertaining to the Site in the past three years; and
- advisory comments as detailed in **Appendix V**;

4. **Landscape**

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

- no adverse comment on the application from landscape planning perspective;
- according to aerial photo taken in 2025, the Site is situated in area of rural coastal plain landscape characterised by temporary structures, ponds and tree clusters;
- from the site photos taken in March 2026, the Site is covered with bare soil or

overgrown grasses and a few temporary structures are observed; and

- as no distinctive landscape resources are observed within the Site, no significant adverse landscape impact arising from the proposed use is anticipated.

## 5. **Drainage**

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

- no objection in principle to the application from a drainage point of view;
- should the Town Planning Board consider that the application is acceptable from the planning point of view, he would suggest that a condition should be stipulated in the approval letter requiring the applicant to submit a drainage proposal (including revised drainage impact assessment to demonstrate that the proposed use of the Site would not have adverse drainage impacts on the drainage issue to the area), to implement and maintain the proposed drainage facilities to the satisfaction of his department; and
- advisory comments as detailed in **Appendix V**;

## 6. **Fire Safety**

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

- no objection in principle to the application subject to fire service installations (FSIs) being provided to his satisfaction; and
- advisory comments are in **Appendix V**.

## 7. **Project Interface**

Comments of the Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD):

- the Site falls within the study area of Lau Fau Shan Development under the consultancy Agreement No. CE 5/2024 (CE) “Developments at Lau Fau Shan, Tsim Bei Tsui and Pak Nai Areas – Investigation”, which is the Investigation Study and jointly commissioned by the Planning Department and CEDD. The implementation and land resumption/clearance programme of the Lau Fau Shan, Tsim Bei Tsui and Pak Nai Development is currently being reviewed under the Investigation Study and subject to change; and
- if the planning permission is granted, notwithstanding its validity period, the applicant should note his advisory comments detailed in **Appendix V**.

## 8. **District Officer’s Comments**

Comments of the District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD):

- no comment from departmental point of view; and
- his office has not received any locals' comment on the application.

9. **Other Departments' Comments**

The following government departments have no objection to/no comment on the application and their advisory comments, if any, are detailed in **Appendix V**:

- Antiquities and Monuments Office, Development Bureau (AMO, DEVB);
- Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD);
- Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- Chief Engineer/Land Works, CEDD (CE/LW, CEDD); and
- Head (Geotechnical Engineering Office), CEDD.

**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/Yuen Long, Lands Department (DLO/YL, LandsD) that:
- the Site comprises Government Land (GL) and Old Schedule Agricultural Lot(s) held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government;
  - no permission is given for occupation of GL (about 330m<sup>2</sup> subject to verification) included in the application Site (the Site). Any occupation of GL without Government's prior approval is an offence under Cap. 28 – Land (Miscellaneous Provisions) Ordinance; and
  - the lot owner(s) shall apply to his office for Short Term Waiver(s) (STWs) and Short Term Tenancy(s) (STTs) to permit the structure(s) erected within the private lots and the occupation of GL. The application for STW(s) and STT(s) will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The application, if approved, will be subject to such terms and conditions including the payment of waiver fee/rent and administrative fee as considered appropriate by LandsD. Besides, given the applied use is temporary in nature, only erection of temporary structure(s) will be considered;
- (d) to note the comments of the Commissioner for Transport (C for T) that:
- sufficient manoeuvring spaces shall be provided within the Site or its adjacent area. No vehicles are allowed to queue back to public roads or reverse onto/from public roads; and
  - the local track leading to the Site is not under Transport Department's purview. The applicant shall obtain consent of the owners/managing departments of the local track for using it as the vehicular access to the Site;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
- the access road from Kai Pak Ling Road and Deep Bay Road to the Site is not maintained by HyD and HyD will not take up the maintenance responsibility of the access; and
  - adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (f) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that there are ponds and a watercourse to the north and west of the Site. The applicant is advised to adopt appropriate mitigation measures to minimise disturbance and pollution to the nearby waterbodies;

(g) to note the comments of the Director of Environmental Protection (DEP) that:

- the applicant should follow the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites';
- the applicant should follow the relevant guidelines and requirements in relevant Professional Persons Environmental Consultative Committee Practice Notes (ProPECCPNs). If septic tank and soakaway system will be used in case of unavailability of public sewer, its design and construction shall follow the requirements of ProPECC PN 1/23 "Drainage Plans subject to Comment by the Environmental Protection Department" including completion of percolation test and certification by Authorized Person;
- the applicant should provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the proposed use; and
- the applicant should meet the statutory requirements under relevant environmental legislation;

(h) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:

- the proposed drainage works, whether within or outside the lot boundary, should be constructed and maintained by the lot owner at his expense;
- the existing drainage system proposed for discharge of the runoff from the Site is not maintained by DSD. Consent from the owner/maintenance party, users of this drainage system and District Officer (Yuen Long) (DO(YL)) should be sought for the proposed drainage connection. Moreover, the applicant should ensure that this drainage system and the existing downstream drains/channels have adequate capacity to convey the additional runoff from the Site. In addition, regular maintenance should be carried out by the lot owner/developer to avoid blockage of drain.
- the applicant/owner is reminded that their drainage facilities shall be properly designed, constructed and maintained in good condition without causing adverse drainage impact to the adjacent area at all times, and the applicant is required to rectify/modify the drainage systems if they are found to be inadequate or ineffective to accommodate the additional runoff arisen from the application. The applicant/owner shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure or ineffectiveness of the drainage systems caused by their application;
- for works to be undertaken outside the lot boundary, prior consent and agreement from DLO/YL, DO(YL) and/or relevant private lot owners should be sought;
- the applicant/owner should take all precautionary measures to prevent any disturbance, damage and pollution from the development to any parts of the existing drainage facilities in the vicinity of the lot. In the event of any damage to the existing drainage facilities, the lot owner/developer would be held responsible for the cost of all necessary repair works, compensation and any other consequences arising therefrom;
- a minimum soil cover of 450mm and 900mm should be provided for the connection pipe constructed under footpath and carriageway respectively; and
- the lot owner/developer should also be advised that the limited desktop checking by

Government on the drainage proposal covers only the fundamental aspects of the drainage design which will by no means relieve his obligations to ensure that (i) the proposed drainage works will not cause any adverse drainage or environmental impacts in the vicinity; and (ii) the proposed drainage works and the downstream drainage systems have the adequate capacity and are in good conditions to receive the flows collected from his lot;

- (i) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that:
- the existing water mains will be affected as shown on **Plan A-2** of this RNTPC paper. The cost of any necessary diversion shall be borne by the proposed development;
  - in case it is not feasible to divert the affected water mains, a waterworks reserve within 1.5m from the center line of the water mains shall be provided to WSD. No structure shall be built or materials stored within this waterworks reserve. Free access shall be made available at all times for staff of the Director of Water Supplies or their contractor to carry out construction, inspection, operation, maintenance and repair works;
  - no trees or shrubs with penetrating roots may be planted within the Waterworks Reserve or in the vicinity of the water mains shown on **Plan A-2** of this RNTPC paper; and
  - Government shall not be liable to any damage whatsoever and howsoever caused arising from burst or leakage of the public water mains within and in close vicinity of the Site;
- (j) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to the Fire Services Department (FSD) for approval. In addition, the applicant should also be advised that the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy and the location of the proposed FSIs to be installed should be clearly marked on the layout plans. However, the applicant is reminded that if any structure(s) is/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 Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD) that the Site falls within the study area of Lau Fau Shan Development under the consultancy Agreement No. CE 5/2024 (CE) “Developments at Lau Fau Shan, Tsim Bei Tsui and Pak Nai Areas – Investigation”, which is the Investigation Study and jointly commissioned by the Planning Department and CEDD. The implementation and land resumption/clearance programme of the Lau Fau Shan, Tsim Bei Tsui and Pak Nai Development is currently being reviewed under the Investigation Study and subject to change. The applicant should be reminded that the Site may be resumed at any time during the planning approval period for potential development project and advised not to carry out any substantial works therein;
- (l) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- before any new building works (including containers/open sheds as temporary buildings, demolition, land filling, etc.) are to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained, 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;

- 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 their permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at building plan submission stage;
  - if existing structures are erected on leased land without the approval of the BA, they are UBW under the BO and should not be designated for any proposed use under the 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; and
- (m) to note the comments of the Antiquities and Monuments Office, Development Bureau (AMO, DEVB) that the Site falls within the Ngau Hom Sha Site of Archaeological Interest (SAI). After reviewing the location and the proposed scope of works, the proposed development at the Site, in particular the drainage works, may adversely impact the archaeological resources of the SAI. The applicant is required to notify AMO two weeks before the commencement of the drainage works so as to facilitate our site inspection in the course of excavation. The drainage proposal should also be submitted to AMO for comment before the works.

Urgent Return receipt Expand Group Restricted Prevent Copy Confidential /

**tpbpd/PLAND**

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寄件者: [REDACTED]  
寄件日期: 2026年04月02日星期四 16:35  
收件者: tpbpd/PLAND  
主旨: KFBG's comments on five planning applications  
附件: 260402 s16 HTF 1208.pdf; 260402 s16 PN 90.pdf; 260402 s16 TT 775.pdf; 260402 s16 LFS 605.pdf; 260402 s16 MKT 59.pdf  
  
類別: Internet Email

Dear Sir/ Madam,

Attached please see our comments regarding five applications. There are five pdf files attached to this email. If you cannot see/ download/ open these files, please notify us through email.

Please do not disclose our email address.

Thank You and Best Regards,

Ecological Advisory Programme  
Kadoorie Farm and Botanic Garden

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嘉道理農場暨植物園公司  
Kadoorie Farm & Botanic Garden Corporation

The Secretary,  
Town Planning Board,  
15/F, North Point Government Offices,  
333, Java Road, North Point,  
Hong Kong.  
(Email: tpbpd@pland.gov.hk)

2nd April, 2026.

By email only

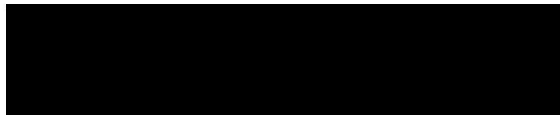
Dear Sir/ Madam,

**Proposed Temporary Open Storage of Construction Materials and Machinery with  
Ancillary Facilities and Associated Filling of Land for a Period of 3 Years  
(A/YL-HTF/1208)**

1. We refer to the captioned.
2. There is a rejected application covering the current application site (A/YL-HT/1029; Proposed Temporary Open Storage of Brand-New Vehicles (Private Cars and Light Goods Vehicles) for a Period of 3 Years). The reasons for rejection of the review of this application are as follows:

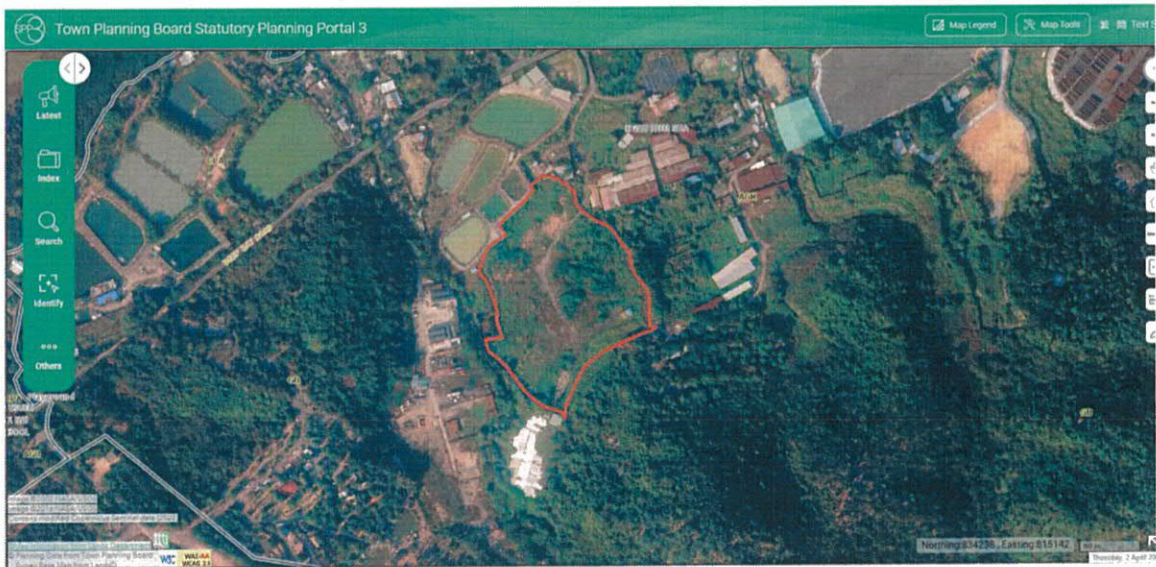
*(a) the development is not in line with the planning intention of the "Agriculture" ("AGR") zone which is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. There is no strong planning justification to merit a departure from such planning intention, even on a temporary basis;*

*(b) the development is not in line with the Town Planning Board Guidelines No. 13E for Application for Open Storage and Port Back-up Uses in that no previous approval has been granted for the site, there are adverse departmental comments on the agricultural, landscape and environmental aspects. The applicant fails to demonstrate that the proposed development would not generate adverse landscape and environmental impacts; and*



*(c) approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “AGR” zone, the cumulative effect of which will result in a general degradation of the environment of the “AGR” zone.*

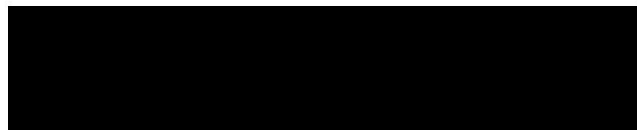
3. We urge the Board to look at a photo extracted from the Town Planning Board Statutory Planning Portal 3 showing the site (bounded by red line).



4. We urge the Board to reject this application as it is unlikely to be in line with the planning intention of the Agriculture zone. If the application is to be approved, we urge the Board to consider whether the site (e.g., filled area) should be reinstated upon the expiry of the planning permission; if yes, then consider whether this should be set as an approval condition.

5. Thank you for your attention.

Ecological Advisory Programme  
Kadoorie Farm and Botanic Garden



**tpbpd/PLAND**

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寄件者: [REDACTED]  
寄件日期: 2026年04月09日星期四 4:41  
收件者: tpbpd/PLAND  
主旨: A/YL-HT/1208 DD 128 Pak Nai, Yuen Long  
類別: printed, csmng, Internet Email

A/YL-HTF/1208

Lots 521 (Part), 536 (Part), 537 (Part), 538 (Part), 539 (Part), 540, 541, 542, 543, 544, 545 (Part), 547 (Part), 548, 549, 551, 552, 553, 554, 555 (Part) and House Lot Blocks (Part) in D.D. 128 and Adjoining Government Land, Pak Nai, Yuen Long

Site area: About 23,313sq.m (Includes Government Land of about 330sq.m)

Zoning: "Agriculture"

Applied use: Open Storage of Construction Materials and Machinery / 8 Vehicle Parking / **Filling of Land**

Dear TPB Members,

1029 was rejected on review on 6 Jan 2017, the Site is located within the Ngau Ham Sha Site of Archaeological Interest (SAI, but the operation went ahead as the current application "***The Site is currently covered with asphalt (about 15,320 m<sup>2</sup>), concrete (about 610 m<sup>2</sup>), and soil (about 7,383 m<sup>2</sup>).***" The current application would see the entire site filled in.

Was the site not monitored in view of the application and why was no enforcement action taken and reinstatement carried out?

And now the land owner is to be rewarded for the illegal action under the relocation land grab.

The location in proximity to ponds and the SAI can never be considered suitable for extensive sealing over and dedication to brownfield use.

Having nominated over 1,000ha of additional land as Vat 2 to accommodate the NT relocations, there is no justification for DevB to supports this application and overrides the considerations of other govt depts and previous decisions.

Mary Mulvihill

On 9 October 2015 A/YL-HT/950, for around 40% of this site was rejected for the following reasons.

“(a) the development is not in line with the planning intention of the “Agriculture” (“AGR”) zone which is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. There is no strong planning justification to merit a departure from such planning intention, even on a temporary basis;

(b) the development is not compatible with the rural neighbourhood;

(c) the development is not in line with the Town Planning Board Guidelines No. 13E for Application for Open Storage and Port Back-up Uses in that no previous approval has been granted for the site, there are adverse departmental comments on the agricultural, landscape and environmental aspects and there are local objections. The applicant fails to demonstrate that the proposed development would not generate adverse landscape and environmental impacts; and

(d) the approval of the application, even on a temporary basis, would set an undesirable precedent for applications for other developments within the “AGR” zone, the cumulative effect of which will result in a general degradation of the environment of the area.”

Now the Applicant is looking to trash an even larger chunk of Agriculture land.

Not only are all the reasons for the previous objection applicable, there is also the need to put a halt to the inefficient land use this type of activity represents whereby a very large site is used for at grade storage. Vehicles should be stored in multi-level custom built facilities complete with Japanese style hydraulic lifts.

Existing brownfield sites must be phased out and no new trashing of agriculture land approved. The administration has pledged to amalgamate storage facilities in appropriately planned and managed facilities.

Moreover in view of the chaotic situation on our roads, the importation and sale of hundreds of additional vehicles should be discouraged.  
TPB must again reject this application.

Mary Mulvihill

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**From:** [REDACTED]  
**To:** "tpbpd" <tpbpd@pland.gov.hk>  
**Sent:** Monday, June 22, 2015 11:38:09 PM  
**Subject:** A/YL-HT/950 Ha Tsuen

A/YL-HT/950

Lots 544 (Part ) and 547 (Part ) in D.D. 128, Ha Tsuen, Yuen Long

Site area 9,080.00 m<sup>2</sup> Zoning "Agriculture"

Applied Use/Development; Proposed Temporary Open Storage of Metal Ware for a Period of 3 Years

Dear TPB Members,