

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

Application No.	Uses / Developments	Date of Consideration
A/NE-FTA/205	Proposed Temporary Animal Boarding Establishment (Dog Kennel) for a Period of 3 Years	27.8.2021 (revoked on 27.2.2023)
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)

Rejected Application

Application No.	Uses/Developments	Date of Consideration	Rejection Reasons
A/NE-FTA/195	Proposed Temporary Warehouse and Open Storage of Containers for a Period of 3 Years	6.3.2020	R1-R4

Rejection Reasons

- R1 The proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone, which was intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It was also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There was no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.
- R2 The proposed development did not comply with the Town Planning Board Guidelines No. 13E for ‘Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ in that no previous planning approval had been granted at the Site and there were adverse departmental comments and local objection on the application.
- R3 The applicant failed to demonstrate that the proposed development would not generate adverse traffic impact on the surrounding areas.
- R4 The 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 approving such applications would result in a general degradation of the environment of the area.

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

Approved Applications

	Application No.	Uses/Developments	Date of Consideration
1	A/NE-FTA/242 ¹	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 (revoked on 20.3.2026)
2	A/NE-FTA/245 ²	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 (revoked on 20.3.2026)
3	A/NE-FTA/246 ³	Proposed Temporary Open Storage of Construction Material and Machinery for a Period of 3 Years and Associated Filling of Land	25.10.2024
4	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 (revoked on 4.7.2026)
5	A/NE-FTA/253	Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land	8.11.2024
6	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 (revoked on 20.3.2026)
7	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
8	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
9	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
10	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

	Application No.	Uses/Developments	Date of Consideration
11	A/NE-FTA/273 ²	Proposed Temporary Open Storage of Containers and Vehicle Repair Workshop with Ancillary Facilities and Associated Filling of Land and Pond for a Period of 3 Years	13.3.2026
12	A/NE-FTA/275 ¹	Temporary Warehouse (Excluding Dangerous Goods Godown) and Associated Filling of Land for a Period of 3 Years	5.6.2026
13	A/NE-FTA/279 ³	Temporary Rural Workshop and Open Storage of Recyclable Materials with Ancillary Facilities and Associated Filling of Land for a Period of 3 Years	10.7.2026

Remarks

*¹: Applications No. A/NE-FTA/242 and A/NE-FTA/275 involve the same site.

*²: Applications No. A/NE-FTA/245 and A/NE-FTA/273 involve the same site.

*³: Applications No. A/NE-FTA/246 and A/NE-FTA/279 involve the same site.

Government Departments' General Comments

1. Traffic

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 dusty operation nor heavy vehicle is involved;
- no comment on the proposed associated filling of land from environmental planning perspective subject to implementation of mitigation measures as listed in the Recommended Pollution Control Clauses for Construction Contracts;
- no environmental complaint pertaining to the application site (the Site) was received in the past three years; and
- his advisory comments are at **Appendix VI**.

3. Drainage

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

- no objection to the application from public drainage viewpoint;
- should the application be approved, approval conditions should be included to request the applicant to submit and implement a drainage proposal for the Site to ensure that it will not cause adverse drainage impact to the adjacent area, and the implemented drainage facilities at the Site shall be maintained at all times during the planning approval period;
- the Site is in an area where no public sewerage connection is available. DEP should be consulted regarding the sewage treatment/disposal facilities for the applied uses; 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 photos taken in 2024 and 2025, the Site is located in an area of miscellaneous rural fringe landscape character comprising vegetated areas, warehouses, temporary structures and tree clusters. The applied uses are considered not entirely incompatible with the surrounding environment; and
- with reference to site photos taken on 5.6.2026, the Site was largely formed without any trees. As stated in the Application Form, no tree felling will be involved. Significant adverse landscape impact arising from the applied uses is not anticipated.

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. **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 (BA) for the existing structure at the Site, he is not in a position to offer comments on its suitability for the applied uses;
- it is noted that five structures and land filling are proposed in the application. Before any new building works are to be carried out on site, prior approval and consent of the 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 under the Buildings Ordinance (BO). 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 VI**.

7. **Other Departments**

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

- Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD);
- Chief Engineer/Construction, Water Supplies Department (CE/C, WSD); and
- District Officer (North), Home Affairs Department (DO(N), HAD).

Recommended Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the application site (the Site);
- (b) to resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (c) 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;
- (d) 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) in the Site;
- (ii) the following irregularities partly covered by the subject planning application has been detected by his office:

- Unauthorised structures within Lots 360A S.A, 360A RP, 360B RP (Part) and 360C S.A (Part) in D.D. 87 covered by the planning application

LandsD has reservation on the planning application since there are unauthorised structures on Lots 360A S.A, 360A RP, 360B S.A, 360B RP, 360C S.A, 360C RP, 360D S.A and 360D RP in D.D. 87 which are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/regularise the lease breaches as demanded by LandsD;

- Unlawful occupation of GL adjoining Lots 360B S.A, 360C RP and 360D RP in D.D. 87 covered by the planning application

the GL within the Site has been fenced off/illegally occupied without any permission. Any occupation of GL without Government's prior approval is an offence under the Land (Miscellaneous Provisions) Ordinance (Cap. 28). The lot owner(s) should immediately cease the illegal occupation of GL. His office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice;

- (iii) the following irregularities not covered by the subject planning application have been detected by his office:

- Unauthorised structures within 360B S.A, 360B RP (Part), 360C S.A (Part), 360C RP, 360D S.A, 360D RP and 360E in D.D. 87 not covered by the planning application

there are unauthorized structures within/extended from the private lots concerned which are not covered by the subject planning application. The lot owner(s) should immediately rectify/ regularise 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 Lots 360D S.A and 360D RP in D.D. 87 not covered by the planning application

the GL adjoining Lots 360D S.A and 360D RP in D.D. 87 has been fenced off/illegally occupied without any permission. The GL being illegally occupied is not included in the application. Any occupation of GL without Government's prior approval is an offence under Cap. 28. His office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice;

- (iv) the lot owner(s)/applicant shall remove the unauthorised structures and cease the illegal occupation of GL not covered by the subject planning application immediately, or include the unauthorised structures in the subject planning application for further consideration by the relevant government departments and, subject to the approval of the Board to the planning application which shall have reflected the rectification as aforesaid required, the lot owner(s)/applicant shall apply to his office for Short Term Waiver (STW) and Short Term Tenancy (STT) to permit the proposed structure(s) and the occupation of the GL. The application(s) for STW and STT will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The STW, if approved, will be on whole lot basis and the STW/STT will be subject to such terms and conditions including the payment of backdated waiver fee/rent and administrative fee as considered appropriate to be imposed by LandsD. In addition, LandsD reserves the right to take enforcement action against the lot owner(s)/applicant for any breach of the lease conditions, including the breach(es) 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 applied uses are temporary in nature, only erection of temporary structures will be considered; and
- (v) the applicant should comply with all land filling requirements imposed by relevant government departments. GL should not be disturbed unless with prior approval;
- (e) to note the comments of the Commissioner for Transport (C for T) that the Site is connected to Kong Nga Po Road via a section of a local access road which is not managed by the Transport Department (TD); the land status of the local access road should be checked with LandsD, 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; and 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 the proposed access arrangement should be commented by TD; HyD is not/shall not be responsible for the maintenance of any access connecting the Site to Kong Nga Po 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'; 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) during land filling; and use inert and non-odorous material for land filling to avoid causing nuisance to the nearby environment;
- (h) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that the applicant should implement good site practices and measures to avoid adverse impacts on the watercourse nearby and to avoid polluting it;

- (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. DEP should be consulted regarding the sewage treatment/disposal facilities for the applied uses; and
- (ii) the applicant should be advised the following general requirements in the drainage proposal:
- surface channel with grating covers should be provided along the site boundary;
 - a drainage plan should be provided clearly showing the size, levels and routes of the proposed drainage. The details (invert level, gradient, general sections etc.) of the proposed drain/surface channel, catchpits and the discharge structure shall be provided;
 - the cover levels of proposed channels should be flush with the existing adjoining ground level;
 - a catchpit with covers should be provided where there is a change of direction of the channel/drain. The details of the catchpit with covers shall be provided;
 - catchpits with sand trap shall be provided at the outlets of the proposed drainage system. The details of the catchpit with sand trap should be provided;
 - to check and ensure that the existing drainage downstream to which the proposed connection will be made have adequate capacity and satisfactory condition to cater for the additional discharge from the Site. The applicant should also ensure that the flow from the Site will not overload the existing drainage system;
 - where walls are erected or kerbs are laid along the boundary of the Site, peripheral channels should be provided on both sides of the walls or kerbs, and/or adequate openings should be provided at the walls/kerbs to allow existing overland flow passing through the Site to be intercepted by the drainage system of the Site with details to be agreed by DSD, unless justified not necessary;
 - all existing flow paths as well as the run-off falling onto and passing through the Site should be intercepted and disposed of via proper discharge points. The applicant shall also ensure that no works, including any site formation works, shall be carried out as may adversely interfere with the free flow condition of the existing drains, channels and watercourses on or in the vicinity of the Site any time during or after the works;
 - 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;
 - for 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;
 - to make good all the adjacent affected areas upon the completion of the drainage works;

- to allow all time free access for the Government and its agent to conduct site inspection on his completed drainage works;
 - 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
 - photos should be submitted clearly showing the current conditions of the area around the Site, the existing drainage/flowpaths around the Site, the proposed drainage from the Site to the downstream existing watercourse and the existing watercourse at about 20m intervals. The locations of the camera and the direction of each photo should also be indicated on a plan;
- (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 Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD) that the applied 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 applied uses, if approved, may need to be vacated for the site formation works; and
- (l) to note the following comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) it is noted that five structures and land filling are proposed in the application. Before any new building works are to be carried out on 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 under the BO. An AP should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - (ii) 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) Regulation (B(P)R);
 - (iii) the Site is not abutting on a specified street having a width not less than 4.5m, the development intensity shall be determined by the BA under Regulation 19(3) of the B(P)R at building plan submission stage;

- (iv) 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 applied uses under the application;
- (v) 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;
- (vi) 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 BA should be obtained, otherwise they are UBW under the BO. An AP should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
- (vii) 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;
- (viii) in general, there is no requirement under the BO in respect of provision of car parking spaces for the applied uses. However, the applicant's attention is drawn to the provision of accessible car parking spaces designated for the use of persons with a disability as per the requirements under Regulation 72 of the B(P)R and Division 3 of Design Manual: Barrier Free Access 2008;
- (ix) the applicant's attention is drawn to the provision under Regulations 40 and 41 of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulation in respect of disposal of foul water and surface water respectively;
- (x) the 6m high warehouse and shelter are considered excessive. It should be justified upon formal plan submission to BD; and
- (xi) detailed checking under the BO will be carried out at building plan submission stage.

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tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年06月25日星期四 23:22
收件者: tpbpd/PLAND
主旨: A/NE-FTA/281 DD 87 Kong Nga Po
類別: Internet Email

A/NE-FTA/281

Lots 360AB (Part), 360C S.A (Part) and 360DE (Part) in D.D. 87, Kong Nga Po, Sheung Shui

Site area:About 2,633sq.m including 153sq.m GL

Zoning: "Agriculture"

Applied use: Warehouse Construction Materials / 2 Vehicle Parking / **Filling of Land**

Dear TPB Members,

244 approved 6 Dec 2024 and of course conditions again not fulfilled. Revoked 6 Dec 2025.

Solution, enlarge the site by incorporating GL, propose a change in land use to warehouse and good to go for at least another two years.

There is absolutely no justification to further reward this operation. No wonder there are so many infringements of regulations, the most alarming revealed in the ongoing Tai Po Fire investigation, because there is an understanding between operators, govt depts and TPB members that the desired goal is a massive increase in shoddy brownfield operations in lieu of the promised industrial parks.

The application should be rejected.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Tuesday, 23 April 2024 3:12 AM HKT
Subject: A/NE-FTA/244 DD 87 Kong Nga Po

A/NE-FTA/244

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Lots 360AB (Part), 360C S.A (Part) and 360DE (Part) in D.D. 87, Kong Nga Po, Sheung Shui

Site area:About 1,920sq.m

Zoning: "Agriculture"

Applied use: Open Storage of Construction Materials / 1 Vehicle Parking / **Filling of Land**

Dear TPB Members,

Of course conditions for 205 were not fulfilled because there was never ANY INTENTION of providing ABE. PlanD and TPB were complicit in an underhand conspiracy to trash farmland under the guise of providing this service.

So now applicant is back with the real operation.

However, members have a duty to consider that both FIRE and DRAINAGE conditions were not fulfilled.

If this application is approved then it is proof that the general interests of the community are being ignored in order to expedite the provision of brownfield even though the administration pledged to phase out this land use.

Shameful.

Mary Mulvihill

From: "tpbpd" <tpbpd@pland.gov.hk>

To: [REDACTED]

Sent: Thursday, September 9, 2021 12:16:31 PM

Subject: RE: A/NE-FTA/1205 DD 87 Kong Nga Po SHOULD RAD 205 NOT 1205

Dear Mary,

Thank you for your email dated 28.8.2021 regarding the captioned planning application for temporary animal boarding establishment (dog kennel) which was approved with conditions by the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board on 27.8.2021.

Our preliminary investigation indicated that due to disruption of the government server at the time your submission was sent, your email was delayed in receipt at our end. As it was received after the time for daily routine download of all incoming emails, we were unaware of it until we double checked the mail boxes again when we received your below email on 28.8.2021. We will closely monitor the email receiving system to prevent this kind of very exceptional incident from happening.

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Nevertheless, please note that the matters mentioned in your email dated 30.7.2021 had generally been covered in the Paper that was submitted to R NTPC for consideration of the case.

With regard to your suggestion to provide a format that could allow copy and paste functions, notwithstanding the recent launch of electronic submission for planning applications, majority of the planning applications is still submitted in hard copies. Only planning applications submitted in electronic format and in the form of word-searchable format could allow copy and paste functions.

Thank you for your attention to the matter.

(Christina TSE)

Town Planning Board Secretariat

From: [REDACTED]

Sent: Saturday, August 28, 2021 12:20 AM

To: tpbpd <tpbpd@pland.gov.hk>

Subject: Re: A/NE-FTA/1205 DD 87 Kong Nga Po

Main paper says two objections but I also filed an objection????

Also can you pls provide a format that we can copy and paste relevant data to other documents.

Thank you

Mary

From: [REDACTED]

To: "tpbpd" <tpbpd@pland.gov.hk>

Sent: Friday, July 30, 2021 3:15:48 AM

Subject: A/NE-FTA/1205 DD 87 Kong Nga Po SHOULD READ 205

A/NE-FTA/205

Lots 360AB (Part), 360C S.A (Part) and 360DE (Part) in D.D. 87, Kong Nga Po, Sheung Shui

Site area :About 1,920sq.m

Zoning: "Agriculture"

Applied use : Animal Boarding Establishment (Dog Kennel) / 8 Vehicle Parking

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Dear T PB Members,

The aerial images and support documents for Application 195 show that the lots are an ongoing storage facility. It is adjacent to pig rearing facilities. The application was rejected. The current application is for part of the site.

The Chief Town Planner/Central Enforcement and Prosecution, Planning Department (CTP/CEP, PlanD) advises that the Site is currently subject to two planning enforcement actions (No. E/NE-FTA/173 & No. E/NE-FTA/174) against unauthorized developments (UDs) involving workshop use and storage use (including deposit of containers) at the southwestern portion of the Site and against UD involving storage use (including deposit of containers) on the northern and eastern portions of the Site respectively. Enforcement Notices (No. E/NEFTA/173 & No. E/NE-FTA/174) (Plan A-2) were issued on 16.9.2019 requiring discontinuation of the UD by 16.11.2019. According to the latest site inspection, the UD of the enforcement case (No. E/NE-FTA/173) has been discontinued whilst the UD of the enforcement case (No. E/NE-FTA/174) has not been discontinued upon expiry of the notice. The concerned party maybe subject to prosecution action.

The Site is not the subject of any previous application. The Site and its surrounding had been hard paved since 2004. Adverse landscape character alteration has taken place prior to planning application;

There is a river to the north of the lots.

So has enforcement action been carried out and what is the current state of the land? Would barking dogs have a negative impact on the piggery operations?

Mary Mulvihill

From: [REDACTED]
To: "tpbpd" <tpbpd@pland.gov.hk>
Sent: Thursday, February 6, 2020 3:56:21 AM
Subject: A/NE-FTA/195 DD 87 Kong Nga Po

A/NE-FTA/195

Lots 360AB, 360C S.A and 360C RP in D.D. 87, Kong Nga Po, Sheung Shui

Site area : About 3,214.6sq.m

Zoning: "Agriculture"

Applied use : Open Storage of Containers / 1 Vehicle Parking

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

Dear TPB Members,

As the site is close to Hang Lung Hang and deep into Agriculture/GB territory, the following will be applicable.

The proposed temporary open storage was not in line with the planning intention of the "Agriculture" ("AGR") zone. No strong planning justifications had been provided in the submission for a departure from the planning intention, even on a temporary basis. The application does not comply with the Town Planning Board Guidelines No. 13E in that the Site falls within Category 3 areas and no previous approval for similar open storage use had been granted for the Site.

Approval of the application would set an undesirable precedent. The cumulative effect of approving such similar applications, even on a temporary basis, would result in a general degradation of the rural environment and landscape quality of the area.

Mary Mulihill

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

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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

有關的規劃申請編號 The application no. to which the comment relates

A/NE-FTA/281

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

無意見

「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

2026.6.8