

Government Departments with No Objection / No Adverse Comment

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

- (a) District Lands Officer/Yuen Long, Lands Department;
- (b) Commissioner for Transport;
- (c) Chief Highway Engineer/New Territories West, Highways Department;
- (d) Chief Engineer/Mainland North, Drainage Services Department;
- (e) Director of Fire Services;
- (f) Chief Engineer/Construction, Water Supplies Department;
- (g) Director of Environmental Protection;
- (h) Chief Building Surveyor/New Territories West, Buildings Department;
- (i) Project Manager (West), Civil Engineering and Development Department;
- (j) Director of Agriculture, Fisheries and Conservation;
- (k) Director of Electrical and Mechanical Services;
- (l) Commissioner of Police;
- (m) District Officer (Yuen Long), Home Affairs Department; and
- (n) Chief Town Planner/Urban Design and Landscape, Planning Department.

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tpbpd/PLAND

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敬啟者：

反對規劃申請編號 A/YL-TT/793

元朗大棠崇山新村丈量約份第 118 約多個地段及毗鄰政府土地
擬議臨時鏟車訓練中心連附屬設施規劃許可續期（為期三年）

本人謹就上述規劃申請提交反對意見，理由如下：

1. 不符合「農業」地帶的規劃意向

申請地點劃為「農業」地帶，規劃意向是保存土地作農業用途。擬議的鏟車訓練中心屬工業／露天貯物用途，與該地帶的規劃意向不符。城規會過往曾以相同理由拒絕同區同類申請（包括編號 A/YL-TT/292 的露天存放建築材料申請），認為申請書並無提供有力規劃理據支持偏離「農業」地帶的規劃意向，即使僅屬臨時性質亦然。

2. 不符合城規會規劃指引編號 13E 的規定

根據城規會規劃指引編號 13E，位於「農業」地帶的此類申請通常不會獲從優考慮，除非所涉地點先前曾有申請獲批許可。申請人擬就此地點申請「續期」，惟文件顯示過往並無規劃許可獲准在該「農業」地帶作同類用途，批准此申請將立下不良先例，令同類用途擴散入「農業」地帶，累積影響將令該區整體環境質素下降。

3. 對周邊環境及居民生活造成滋擾

鏟車訓練中心涉及重型車輛頻繁出入及操作，將產生噪音、空氣及視覺污染，對崇山新村周邊的寧靜鄉郊環境及居民生活構成嚴重滋擾。環保署署長在同區同類申請中曾明確表示不支持，理由為申請地點附近有易受影響的用途，預計環境會受到滋擾。申請人未能證明擬議發展不會對周邊地區造成負面環境影響。

4. 交通及道路安全問題

重型貨車頻繁進出將加重該區鄉郊道路的負荷，對村民及道路使用者的安全構成威脅。同區同類申請接獲的公眾意見中，地區人士明確表示擔心道路安全問題，規劃署亦對此表示關注。

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5. 大棠分區計劃大綱圖上已有合適選址

根據城規會文件，大棠分區計劃大綱圖上有兩個地方劃為「露天貯物」地帶，專門容納此類用途。申請書內並無資料證明為何無法在該等地帶物色合適地點進行擬議發展，反映此申請欠缺規劃上的必要性。

基於上述理由，本人強烈反對編號 A/YL-TT/793 的規劃許可續期申請，懇請 貴會審慎考量，拒絕此申請，以維護「農業」地帶的規劃完整性、崇山新村居民的合理權益及該區的可持續發展。

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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) 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 Lots 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;
 - Lot 2270 S.A in D.D. 118 is covered by Short Term Waiver (STW) No. 2422, whereas portion of the GL therein is covered by Short Term Tenancy (STT) No. 2443 for the purpose of “Forklift training centre with ancillary facilities” respectively;
 - no permission is given for occupation of GL (about 6m² (out of 120m² of GL) as mentioned in the application form) included in the Site. Any occupation of GL without Government’s prior approval is an offence under Cap.28; and
 - the STW and STT holder(s) will need to apply to his office for modification of the STW and STT conditions where appropriate and the lot owner(s) without STW shall apply to his office for a STW to permit the structure(s) erected within the said private lots and the occupation of the GL in D.D.118. 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 it will be approved. The STW and STT, if approved, will be subject to such terms and conditions, including the payment of waiver fee, rent and administrative fee as considered appropriate by his department. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered;
- (c) to note the comments of the Commissioner for Transport that (C for T) that:
- sufficient manoeuvring space should be provided within the Site. In addition, no vehicles are allowed to queue back to public roads or reverse onto/from public roads; and
 - the local track and footpath leading to the Site is not under Transport Department’s purview. The applicant should obtain consent of the owners/managing departments of the local track and footpath for using it as the access to the Site;
- (d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
- HyD shall not be responsible for the maintenance of any access connecting the Site and Tai Shu Ha Road East; and
 - adequate drainage measures should be provided to prevent surface water running from the Site to nearby public road and drains;
- (e) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that for any change of existing ground level and associated works proposed by the applicant that could affect adjacent land and cause other impacts and/or other issues to public, please submit technical assessment(s) in other aspect(s) and seek comment from relevant departments as necessary;

- (f) to note the comments of the Director of Fire Services that the existing fire service installations implemented on the Site shall be maintained in efficient working order at all times;
- (g) to note the comments of the Director of Environmental Protection (DEP) that the relevant mitigation measures and requirements in the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” should be followed to minimise any potential environmental nuisances on the surrounding areas;
- (h) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively;
 - the Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at building plan submission stage;
 - if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the Buildings Authority (BA), they are unauthorised building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the captioned application;
 - for UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with the prevailing enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO;
 - before any new building works (including containers/ open shed 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 Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with 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
- (i) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that:
- the applicant should be advised that approval of the application does not imply approval of tree works such as pruning, transplanting and felling. Application for any tree works should be submitted to relevant departments for approval.