

Previous s.16 Applications covering the Application Site (the Site)

Approved Application

No.	Application No.	Use(s)/Development(s)	Date of Consideration (Rural and New Town Planning Committee (RNTPC))
1.	A/YL-KTS/959	Proposed Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years and Filling of Land	9.6.2023

Rejected Applications

No.	Application No.	Use(s)/Development(s)	Date of Consideration (Town Planning Board)	Rejection Reasons
1.	A/YL-KTS/385	Temporary Open Storage of Construction Materials and Machinery for a Period of 3 Years	12.1.2007 [upon review]	(1)-(5)
2.	A/YL-KTS/523	Temporary Open Storage of Construction Materials (H-Shaped Iron) with Ancillary Workshop for a Period of 3 Years	27.5.2011 [upon review]	(2)-(5)

Rejection Reasons

- (1) Not compatible with the surrounding land uses. There would be adverse impact on existing rural character and landscape quality of the area.
- (2) Not in line with planning intention.
- (3) Not comply with Town Planning Guidelines 13D/13E in there is no previous approval granted at the application site or the development was not compatible with the surrounding land uses, and there are adverse departmental comments on the application.
- (4) Insufficient information to demonstrate that the proposed development would not generate adverse drainage, landscaping and environmental impacts on the surrounding areas.
- (5) The approval of the application would set an undesirable precedent for similar applications and the cumulative effect of approving such similar applications would result in a general degradation of the rural environment of the area.

**Similar s.16 Application within the same “AGR” Zone of the Site
in the past five years**

Approved Application

No.	Application No.	Use(s)/Development(s)	Date of Consideration (RNTPC)
1.	A/YL-KTS/1125	Proposed Temporary Warehouse (excluding Dangerous Goods Godown) with Ancillary Office and Associated Filling of Land for a Period of 3 Years	5.6.2026

Government Bureau/Departments' General Comments

1. Traffic

Comments of the Commissioner for Transport:

- no adverse comment on the application from traffic engineering perspective; and
- advisory comments are at **Appendix IV**.

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

- no in-principle objection to the application from highway maintenance point of view; and
- advisory comments are at **Appendix IV**.

2. Environment

Comments of the Director of Environmental Protection:

- no objection to the application from environmental planning perspective;
- there was no environmental complaint concerning the Site received in the past three years; and
- advisory comments are at **Appendix IV**.

3. Drainage

Comments of the Chief Engineer/Mainland North, Drainage Services Department:

- no objection in principle to the application from the public drainage point of view;
- should the application be approved, approval conditions should be stipulated requiring the maintenance of the implemented drainage facilities under Application No. A/YL-KTS/959 and submission of the condition records of the existing drainage facilities to the Director of Drainage Services' or the Town Planning Board's satisfaction; and
- advisory comments are at **Appendix IV**.

4. Fire Safety

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

- no objection in principle to the application subject to the fire service installations and water supplies for firefighting being provided to the D of FS's or the Town Planning Board's satisfaction; and
- advisory comments are at **Appendix IV**.

5. **Landscape Aspect**

Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department:

- no adverse comment on the application from landscape planning perspective;
- based on the aerial photo (**Plan A-3**), the Site was situated in an area of rural fringe landscape character comprising open storages, village houses, temporary structures, and scattered tree groups. The applied use is not entirely incompatible with the landscape setting in the proximity;
- with reference to site photos (**Plan A-4**), the Site was largely formed and consisted of temporary structures. Some existing trees were found along the northeastern site boundary. No distinctive landscape resources and mature trees were observed. According to the applicant's submission, no tree felling will be involved;
- in view of the above, significant adverse landscape impact arising from applied use is not anticipated; and
- advisory comments are at **Appendix IV**.

6. **Building Matters**

Comments of the Chief Building Surveyor/New Territories West, Buildings Department:

- no objection to the application;
- there is no record of approval granted by the Building Authority for the existing structure at the Site; and
- advisory comments are at **Appendix IV**.

7. **District Officer's Comments**

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

- no comment on the application; and
- his office has not received comment on the application from locals upon close of consultation.

8. **Other Departments**

The following government departments have no objection to or no adverse comment on the application and their advisory comments, if any, are at **Appendix IV**:

- Executive Secretary (Antiquities & Monuments), Antiquities and Monuments Office (AMO), Development Bureau;
- Chief Engineer/Railway Development 1-1, Railway Development Office, HyD;
- Chief Engineer/Construction, Water Supplies Department;
- Project Manager (West), Civil Engineering and Development Department;
- Director of Electrical and Mechanical Services; and
- Commissioner of Police.

Recommended Advisory Clauses

- (a) the permission is given to the uses and/or structures under the application. It does not condone any other uses and/or structures which currently occur on the application site (the Site) but not covered by the application. Immediate action should be taken to discontinue such uses and remove such structures not covered by the permission;
- (b) to resolve any land issues relating to the applied use with the concerned owner(s) and/or occupant(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/Yuen Long, Lands Department (LandsD) that the lot owner(s) shall apply to his office for Short Term Waiver(s) (STWs) to permit the structure(s) erected within the private lots. The application for STWs 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 subject to such terms and conditions including the payment of waiver fee 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;
- (e) to note the comments of the Commissioner for Transport that:
 - (i) the Site is connected to the public road network via a section of a local access road which 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 accordingly;
 - (ii) sufficient manoeuvring space shall be provided within the Site; and
 - (iii) no vehicle 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 West, Highways Department (HyD) that:
 - (i) HyD shall not be responsible for the maintenance of the proposed access connecting the Site and Kam Ho Road, including the local tracks; and
 - (ii) adequate drainage measures shall 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 that:
 - (i) the applicant shall follow the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites';
 - (ii) the applicant shall follow the relevant guidelines and requirements in relevant

Professional Persons Environmental Consultative Committee Practice Notes (ProPECC PNs), in particular the ProPECC PN 1/23 'Drainage Plans subject to Comment by the Environmental Protection Department';

- (iii) the applicant shall provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the applied use; and
- (iv) the applicant shall meet the statutory requirements under relevant environmental legislation;
- (h) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department 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, the applicant shall submit technical assessment(s) in other aspect(s) and seek comment from relevant government departments as necessary;
- (i) to note the comments of the Director of Fire Services that:
 - (i) the applicant shall submit relevant layout plans incorporated with the proposed fire service installations (FSIs) to his department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of 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 services requirements will be formulated upon receipt of formal submission of general building plans;
- (j) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department 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;
- (k) to note the comments of the Executive Secretary (Antiquities & Monuments), Antiquities and Monuments Office (AMO), Development Bureau that pursuant to the Antiquities and Monuments Ordinance (Cap. 53), the applicant is required to inform AMO when any antiquities or supposed antiquities under the Antiquities and Monuments Ordinance are discovered in the course of works;
- (l) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that:
 - (i) it is noted that 12 structures and associated filling of land are proposed in the application. Before any new building works (including containers/open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained, otherwise they are unauthorised 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;
 - (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) Regulations (B(P)R) respectively;

- (iii) the Site abuts on a specified street (Kam Ho Road) of not less than 4.5m wide. Its permitted development intensity shall be determined under the First Schedule of the B(P)R, where no plot ratio/gross floor area restriction has been stipulated in statutory plans/approved planning applications;
- (iv) if the existing structures (not being a New Territories Exempted House) 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 use 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) 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
- (vii) detailed checking under the BO will be carried out at building plan submission stage;
- (m) to note the comments of the Director of Electrical and Mechanical Services that in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organising and supervising any activity near the underground cable or overhead line under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation when carrying out works in the vicinity of the electricity supply lines; and
- (n) to note the comments of the Commissioner of Police that the applied use shall not cause traffic congestion or flooding.

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

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年05月28日星期四 0:07
收件者: tpbpd/PLAND
主旨: A/YL-KTS/1130 DD 113 Kam Tin

類別: Internet Email

A/YL-KTS/1130

Lots 1016 (Part), 1017, 1028 S.A (Part), 1029 (Part), 1030 (Part), 1031, 1032 and 1033 (Part) in D.D. 113, Kam Tin

Site area: About 4,503sq.m

Zoning: "Agriculture"

Applied use: Warehouse for Storage of Construction Materials / 5 Vehicle Parking / Filling of Land

Dear TPB Members,

959 approved 9 June 2023. Back with a slightly increased footprint.

Applicant claims to have fulfilled all conditions but there were a number of extensions and the data is inconclusive.

Members should request DPO to verify this.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Thursday, 4 May 2023 3:03 AM HKT
Subject: A/YL-KTS/959 DD 113 Kam Tin

A/YL-KTS/959

Lots 1016 (Part), 1017 (Part), 1028 S.A (Part), 1029 (Part), 1030 (Part), 1031, 1032 and 1033 (Part) in D.D. 113, Kam Tin

Site area : About 4,433sq.m

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy
Zoning: "Agriculture"

Applied use: Warehouse for Storage of Construction Materials / 5 Vehicle Parking / **Filling of Land**

Dear TPB Members,

A/YL-KTS/385 Appeal abandoned 2008 (Part of larger site)

A/YL-KTS/523 Appeal abandoned 2012 (Part of site)

A/YL-KTS/720 Withdrawn (Part of larger site)

The site has been included in a long history of denial of approval for what is essentially an open storage operation. However the Applicant in the paper indicates that the lots have been used for open storage for the last 20 years. This despite no approval

Members should request aerial images of site as the 2,582sq.m filling of land appears to have already been carried out.

The excuse of the resumption of land is not a legitimate justification to approve applications like this. The operators have been aware of development plans for many years but have made no moves to unite with similar operators to set up modern and adequately equipped multi-storey enclaves to accommodate their services.

Unfortunately the authorities have supported an operation model that has encouraged a culture of low costs, high profits and a total indifference to impact on public health and the environment. If HK is to move forward and provide the cosmopolitan and high quality environment that we keep hearing about., approval of ramshackle operations should be abandoned.

Mary Mulvihill

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

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電郵：tpbpd@pland.gov.hk

To : Secretary, Town Planning Board

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

By Fax : 2877 0245 or 2522 8426

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

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

A/VL-KTS/1130

意見詳情 (如有需要，請另頁說明)

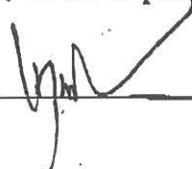
Details of the Comment (use separate sheet if necessary)

本人是河背村村代表。本人代表本村同意此項申請；
理由如下：
1. 有徵地做自來水相傳給政府興建而缺作馬路
後皮板放物料後，已無法還原適合耕作；
2. 申請對本村環境衛生、交通、噪音等影響
有改善。
3. 申請對本港振興經濟有利。

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

范陽宏 (原居民代表)

簽署 Signature



日期 Date

1-6-2026