

Previous S.16 Applications

Approved Application

Application No.	Uses/ Development	Date of Consideration
A/NE-TKL/140	Temporary Open Storage of Ceramic Tiles for a Period of 3 Years	30.6.2000

Rejected Applications

<u>Application No.</u>	<u>Uses/ Development</u>	<u>Date of Consideration</u>	<u>Rejection Reasons</u>
A/NE-TKL/55	Temporary Open Storage of Construction Materials for a Period of 12 Months	27.2.1998 (on review)	R1-R3
A/NE-TKL/278	Temporary Open Storage of Containers for the Purpose as Office and Store-room for a Period of 3 Years	12.5.2006 (on review)	R4-R5
A/NE-TKL/279	Temporary Open Storage of Waste Paper and Metal for a Period of 3 Years	12.5.2006 (on review)	R4, R6

Rejection Reasons

- R1. The proposed open storage use was not in line with the planning intention of the “Agriculture” zone for the area which was to retain and safeguard good agricultural land for agricultural purposes and to retain arable land with good potential for rehabilitation. No strong justification had been provided in the submission for a departure from the planning intention even on a temporary basis.
- R2. The applicant had not demonstrated in the submission that the proposed development would not have adverse drainage impacts on the surrounding areas.
- R3. The approval of the application would set an undesirable precedent for similar applications, the cumulative effect of which would result in a general degradation of the environment in the area.
- R4. The application site fell within an area zoned “Agriculture”. The planning intention of the “AGR” zone was to retain and safeguard agricultural land for agricultural purposes and to retain fallow arable land with good potential for rehabilitation. No strong justification had been provided for a departure from the planning intention.

- R5. The development did not comply with the Town Planning Board Guidelines for 'Application for Open Storage and Port Back-up Uses' in that the use was not compatible with the adjacent domestic structures, there was no previous planning approval granted to the application site and no information had been submitted to demonstrate that the proposed development would not generate adverse traffic and environmental impacts on the surrounding areas.
- R6. The development did not comply with the Town Planning Board Guidelines for 'Application for Open Storage and Port Back-up Uses' in that the use was not compatible with the adjacent residential structures and no technical assessments/proposals had been submitted to demonstrate that the proposed development would not generate adverse traffic and environmental impacts on the surrounding areas and sensitive receivers.

**Similar S.16 Applications for Temporary Warehouse
in the Vicinity of the Application Site within “Agriculture” or “Industrial (Group D)” Zones
in the Past Five Years**

Approved Applications

	Application No.	Uses/Developments	Date of Consideration
1.	A/NE-TKL/702*	Proposed Temporary Warehouse for Storage of Metal for a Period of 3 Years and Filling of Land	26.8.2022 (revoked on 26.5.2024)
2.	A/NE-TKL/767*	Proposed Temporary Warehouse for Storage of Metal for a Period of 3 Years and Associated Filling of Land	16.8.2024 (revoked on 16.5.2026)
3.	A/NE-TKL/809	Proposed Temporary Warehouse and Ancillary Open Storage of Construction Materials and Associated Filling of Land for a Period of 3 Years	5.9.2025
4.	A/NE-TKL/830	Proposed Temporary Warehouse for Storage of Tea Leaves and Associated Filling of Land for a Period of 3 Years	5.6.2026

Remarks

*: The applications No. A/NE-TKL/702 & A/NE-TKL/767 involve the same site.

Government Departments' General Comments

1. Railway Development

Comments of the Commissioner for Northern Metropolis Railways, Highways Department (C for NMR, HyD):

- the applicant's affected site as indicated in the applicant's submission is within the boundary of the railway scheme of the Northern Link (NOL) Main Line project and affected by the resumption and clearance of land in Ngau Tam Mei under the NOL Main Line project; and
- he has no adverse comment on the application from NOL Main Line viewpoint. The application site (the Site) at Ping Che falls outside the scheme boundary of the NOL Main Line project.

Comments of the Principal Government Engineer, Railway Development Office, Highways Department (PGE/RD, HyD):

- no comment on the application at Ping Che from railway development point of view; and
- the Site is currently away from the Area of Influence of NOL Eastern Extension and Northeast New Territories Line.

2. Traffic

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

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

3. Drainage

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

- no objection to the application;
- should the application be approved, conditions should be included to request the applicant to submit and implement a drainage proposal for the Site to ensure that the proposed use will not cause adverse drainage impact on 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. The Environmental Protection Department should be consulted regarding the sewage treatment/disposal facilities for the proposed use; and
- her advisory comments are at **Appendix V**.

4. **Environment**

Comments of the Director of Environmental Protection (DEP):

- no objection to the application from the environmental planning perspective since no heavy vehicle or dusty operation is involved;
- for the proposed of filling of land, he has no comment from the environmental perspective subject to implementation of relevant mitigation measures listed in the Recommended Pollution Control Clauses for Construction Contracts;
- no environmental complaint against the Site was received in the past three years; and
- his advisory comments are at **Appendix V**.

5. **Fire Safety**

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

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

6. **Landscape**

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

- no adverse comment on the application from landscape planning perspective;
- based on the aerial photo taken in 2024, the Site was located in an area of rural inland plain and miscellaneous rural fringe landscape character comprising temporary structures, warehouses, vacant land, Ping Yuen River, farmlands, vegetated areas and tree clusters. The proposed temporary use is considered not incompatible with the surrounding environment;
- with reference to the above aerial photos and site photos taken on 25.8.2026, the Site was largely formed. Temporary structures were found on it. A few fruit trees and wild plants were observed along the northwestern periphery of the Site. According to the applicant's further information, three fruit trees will be felled along the northwestern boundary to cater for the proposed temporary use;
- in view of the above, significant adverse landscape impact arising from the application is not anticipated; and
- her advisory comments are at **Appendix V**.

7. Building Matters

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

- no objection to the application;
- there is no record of approval granted by the Building Authority (BA) for the existing structures at the Site;
- it is noted that three structures and land filling are proposed on the Site. Before any new building works are to be carried out on the 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 unauthorised 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 V**.

8. Other Bureau/Departments

The following government bureau and departments have no objection to/no comments on the application:

- (a) Secretary for Transport and Logistics (STL);
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (c) Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD);
- (d) Head of the Geotechnical Engineering Office, CEDD (H(GEO), CEDD); and
- (e) District Officer (North), Home Affairs Department (DO(N), HAD).

Recommended Advisory Clauses

- (a) to resolve any land issues relating to the proposed use with the concerned owner(s) of the application site (the Site);
- (b) failure to reinstate the “Agriculture” portion of the Site as required under the relevant approval condition upon expiry of the planning permission might constitute an unauthorized development under the Town Planning Ordinance and be subject to enforcement and prosecution actions;
- (c) to note the comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD) that:
 - (i) the Site comprises two Old Schedule Agricultural Lots held under the Block Government Lease which contains restriction that no structures are allowed to be erected without the prior approval of the Government. The proposed ingress/egress point of the Site requires to pass through a portion of the application lot not under application and also Government land (GL). There is no right of access via GL granted to the Site yet. There is also no guarantee that the GL shall be allowed for the proposed use/ ingress or egress point;
 - (ii) the following irregularities covered by the planning application have been detected by his office:

suspected unauthorised structures within Lot 752 RP in D.D. 77 covered by the planning application

there are suspected unauthorised structures found within Lot 752 RP in D.D. 77. The lot owner should immediately rectify/regularise the lease breaches and his office reserves the rights to take necessary enforcement action against the breaches without further notice;
 - (iii) the following irregularities not covered by the planning application have been detected by his office:

unauthorised structures within Lots 747 RP, 750, 751 RP and 761 RP in D.D. 77 and the adjoining GL not covered by the planning application

there are unauthorised structures on Lots 747 RP, 750 and 751 RP in D.D. 77 and the adjoining GL. 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. There are unauthorised structures on Lot 761 RP in D.D. 77 which is already subject to lease enforcement actions. The lot owner should immediately rectify the lease breaches, otherwise, his office will without any further warning re-enter the lot or vest all the interests of the lot owner in the Financial Secretary Incorporated under the Government Rights (Re-entry and Vesting Remedies) Ordinance (Chapter 126), as the case may be in which case the lot owner’s rights in the lot will be forfeited;

unlawful occupation of GL not covered by the planning application

the GL adjoining Lots 751 RP and 761 RP in D.D. 77 has been fenced off/illegally occupied without permission. The GL being illegally occupied is not included in the application. The applicant should clarify the extent of the Site. 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) erection of unauthorised structures and illegal occupation of adjoining GL are not allowed. The lot owners/occupier/applicant should remove all the unauthorised structures and stop the illegal occupation of GL immediately;
 - (v) subject to the approval of the Town Planning Board to the planning application which shall have reflected the rectification as aforesaid required, the lot owners shall apply to his office for Short Term Waiver (STW) to permit the proposed structures. The application for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STW, if approved, will be on whole lot basis and subject to such terms and conditions including the payment of back-dated waiver fees 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 proposed use is temporary in nature, only erection of temporary structures will be considered; and
 - (vi) the lot owner(s) should comply with all the land filling requirements imposed by relevant Government departments. GL should not be disturbed unless with prior approval;
- (d) to note the comments of the Commissioner for Transport (C for T) that:
- (i) the proposed vehicular access road between Ping Che Road and the Site is not managed by the Transport Department (TD). The land status of the local access road should be checked with the LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities;
 - (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;
- (e) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD) that:
- (i) the proposed access arrangement of the Site should be commented and approved by TD;
 - (ii) HyD shall not be responsible for the maintenance of the proposed access connecting the Site; and
 - (iii) 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 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. The Environmental Protection Department should be consulted regarding the sewage treatment/disposal facilities for the proposed use;
 - (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;
- the applicant should 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;
- the applicant is reminded that where walls are erected or kerbs are laid along the boundary of the same, 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;
- the applicant is reminded that 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;
- the applicant should make good all the adjacent affected areas upon the completion of the drainage works;
- the applicant shall 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;

- (g) to note the comments of the Director of Environmental Protection (DEP) that the applicant should (i) follow the requirements of the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites'; (ii) implement relevant mitigation measures listed in the Recommended Pollution Control Clauses for Construction Contracts during land filling; and (iii) in case toilet will be provided, suitable sewage treatment facilities as required under the Professional Persons Environmental Consultative Committee Practice Notes 1/23 'Drainage Plans subject to Comment by the Environmental Protection Department – Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations' shall be provided and should be duly certified by an Authorized Person (AP) or to employ licensed waste collector to regularly collect and properly dispose of the sewage collected in the proposed toilet;
- (h) 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 is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval;
 - (ii) the applicant should 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; and
 - (iii) 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;
- (i) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that approval of the application does not imply approval of tree works such as pruning, transplanting and felling. The applicant is reminded to seek approval for any proposed tree works from relevant departments prior to commencement of the works;
- (j) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
 - (i) it is noted that three structures and land filling are proposed on the Site. Before any new building works are to be carried out on the site, prior approval and consent of the Building Authority should be obtained unless they are exempted building works or commenced under the simplified requirement under the Minor Works Control System, otherwise they are unauthorised building works (UBW) under the BO. An AP should be appointed as the co-ordinator for the proposed building works in accordance with the BO; and
 - (ii) the applicant's attention is drawn to the following points:
 - the Site shall be provided with 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 any existing structure is erected on leased land without the approval of the BA, they are UBW under the BO and should not be designated for any proposed 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;

- 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;
- any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings and are subject to the control of Part VII of the B(P)R;
- in general there is no requirement under the BO in respect of provision of car parking spaces for a proposed development. 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;
- 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) Regulations in respect of disposal of foul water and surface water respectively;
- the 7m tall structures for warehouses, workshop and office are considered excessive. It should be justified upon formal plan submission to BD; and
- detailed checking under the BO will be carried out at building plan submission stage; and

- (k) to note the comments of the Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD) that the proposed use is 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, subject to the land use planning in the P&E Study, the proposed use may need to be vacated for the site formation works.

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

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

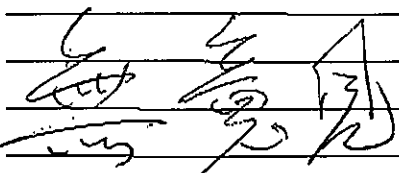
By e-mail : tpbpd@pland.gov.hk

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

A/NE-TKL/850

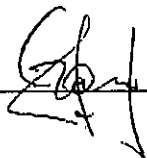
意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)



「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. 8. 24

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年09月09日星期三 1:06
收件者: tpbpd/PLAND
主旨: A/NE-TKL/850 DD 77 Ping Che
類別: Internet Email

A/NE-TKL/850
Lots 752 RP and 761 RP (Part) in D.D. 77, Ping Che
Site area: About 1,640sq.m
Zoning: "Agriculture" and "Industrial (Group D)"
Applied use: Warehouse for Storage of Construction Materials / 2 Vehicle Parking / **Filling of Land**

Dear TPB Members,

This application is to regularize the subject site which has been paved, but there is no record of approval over many years. Has any enforcement action been taken?

This is yet another operation that is abusing the support given for relocation. The site is twice the size of its current premises at 750sq.m.

The abuse that is being tolerated with regard to this relocation saga, both on the side of the operators and the govt depts, is shocking. The end result will be a doubling of GFA devoted to brownfield operations instead of the reduction that was pledged.

The application should be rejected.

Mary Mulvihill

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

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年09月11日星期五 11:02
收件者: tpbpd/PLAND; lego3 ymchan
主旨: 有關的規劃申請編號: A/NE-TKL/850
附件: ANETKL850.pdf
類別: Internet Email

致城市規劃委員會秘書：

附上有關的規劃申請編號：A/NE-TKL/850 的反對意見回覆如下及請查附件：-

反對意見：

意見詳情（如有需要，請另頁說明）

Details of the Comment (use separate sheet if necessary)

1. 火警負荷與救援通道不足

貯存建築材料、工具及器材，並設附屬工場。工場可涉及切割、裝配及機具運作，連同易燃或可燃建築物料，火警可能性高於一般貯物場。道路內窄，擔心救援車能否在極短時間內作出救援。

2. 交通及村民道路安全

坪輦路近年因渠務污水工程多次改為單線雙程，並限制長車轉彎，主幹道容量本已緊張，小路與幹道交匯處更易出現等候、倒車及視線受阻。預計運送建築材料車輛不是輕型貨車，對村民出入、鄉中心人流將會受影響。

3. 水浸及排水

本鄉屬嚴重水浸地區，村民長期反映水浸，紅雨期間坪輦路更是黑點之重。貨倉上蓋減少滲透、雨水更快擴流，加劇下游及鄉中心水浸負荷。

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

打鼓嶺區鄉事委員會
[REDACTED]

敬請回覆收妥上述電郵及以透過傳真 [REDACTED] 回覆文件。

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

如有任何問題,歡迎與本會聯絡 Joey 劉小姐聯絡: [REDACTED]。

專此奉達,順頌

鈞安

打鼓嶺區鄉事委員會

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

A/NE-TKL/850

意見詳情（如有需要，請另頁說明）

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

打鼓嶺區鄉事委員會



簽署 Signature _____

日期 11 Sep 2026