

**Relevant extract of the Town Planning Board Guidelines
for Application for Development within Green Belt Zone
under Section 16 of the Town Planning Ordinance**

(TPB PG-No. 10)

The main planning criteria for assessing applications for development within the “Green Belt” (“GB”) zone under s.16 of the Town Planning Ordinance are:

- (a) There is a general presumption against development (other than redevelopment) in a “GB” zone. In general the Board will only be prepared to approve applications for development in the context of requests to rezone to an appropriate use.
- (b) An application for new development in a “GB” zone will only be considered in exceptional circumstances and must be justified with very strong planning grounds. The scale and intensity of the proposed development including the plot ratio, site coverage and building height should be compatible with the character of surrounding areas. With the exception of New Territories Exempted Houses, a plot ratio up to 0.4 for residential development may be permitted.
- (c) Applications for New Territories Exempted Houses with satisfactory sewage disposal facilities and access arrangements may be approved if the application sites are in close proximity to existing villages and in keeping with the surrounding uses, and where the development is to meet the demand from indigenous villagers.
- (d) Redevelopment of existing residential development will generally be permitted up to the intensity of the existing development.
- (e) Applications for government/institution/community (G/IC) uses and public utility installations must demonstrate that the proposed development is essential and that no alternative sites are available. The plot ratio of the development site may exceed 0.4 so as to minimize the land to be allocated for G/IC uses.
- (f) Passive recreational uses which are compatible with the character of surrounding areas may be given sympathetic consideration.
- (g) The design and layout of any proposed development should be compatible with the surrounding area. The development should not involve extensive clearance of existing natural vegetation, affect the existing natural landscape, or cause any adverse visual impact on the surrounding environment.
- (h) The vehicular access road and parking provision proposed should be appropriate to the scale of the development and comply with relevant standards. Access and parking should not adversely affect existing trees or other natural landscape features. Tree preservation and landscaping proposals should be provided.
- (i) The proposed development should not overstrain the capacity of existing and planned infrastructure such as sewerage, roads and water supply. It should not adversely affect drainage or aggravate flooding in the area.

- (j) The proposed development must comply with the development controls and restrictions of areas designated as water gathering grounds.
- (k) The proposed development should not overstrain the overall provision of G/IC facilities in the general area.
- (l) The proposed development should not be susceptible to adverse environmental effects from pollution sources nearby such as traffic noise, unless adequate mitigating measures are provided, and it should not itself be the source of pollution.
- (m) Any proposed development on a slope or hillside should not adversely affect slope stability.

Previous s.16 Applications covering the Application Site

Approved Application

	Application No.	Applied Use(s)/Development(s)	Date of Consideration (RNTPC)
1	A/YL-HTF/1183	Proposed Temporary Warehouse for Storage of Construction Materials and Machineries, Parking of Special Purpose Vehicles and Rural Workshop with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land and Pond and Excavation of Land	28.2.2025

Rejected Applications

	Application No.	Applied Use(s)/Development(s)	Date of Consideration (RNTPC)	Rejection Reasons
1	A/YL-HT/165	Proposed Temporary Open Storage of Containers for 3 Years	22.9.2000	1, 2
2	A/YL-HT/641	Proposed Temporary Place of Recreation, Sports or Culture for a Period of 3 Years	18.9.2009	3, 4 and 5

Rejection Reasons:

1. Not compatible with the rural character of the adjacent areas.
2. Insufficient information to demonstrate no adverse traffic, environmental and drainage impacts on the surrounding areas.
3. The development would have adverse drainage and landscape impacts on the surrounding areas.
4. Not in line with TPB PG-No. 10.
5. Setting an undesirable precedent.

Previous s.12A Application covering the Application Site

Rejected Application

	Application No.	Proposed Amendment(s)	Date of Consideration (RNTPC)	Rejection Reasons
1	Y/YL-HTF/3	To rezone the application site from “Green Belt” to “Government, Institution or Community” and area shown as ‘Road’	13.12.2019	1, 2 and 3

Rejection Reasons:

1. No strong planning justification for piecemeal rezoning.
2. Failure to demonstrate that the proposed access road is feasible and implementable.
3. Setting an undesirable precedent.

Government Departments' General Comments

1. Traffic

- (i) Comments of the Commissioner for Transport (C for T):
 - (a) She has no adverse comment on the application from traffic engineering perspective.
 - (b) The applicant should note her advisory comments at **Appendix V**.
- (ii) Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):
 - (a) He has no objection to the application from highway maintenance perspective.
 - (b) The applicant should note his advisory comments at **Appendix V**.

2. Environment

Comments of the Director of Environmental Protection (DEP):

- (a) He has no objection to the application from environmental planning perspective, noting that the proposed uses would generate traffic of heavy vehicles but not involve dusty operation. No residential dwelling is present within 100m from the boundary of the application site (the Site).
- (b) There is no substantiated environmental complaint pertaining to the Site in the past three years.
- (c) The applicant should note his advisory comments at **Appendix V**.

3. Drainage

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

- (a) She has no objection in principle to the application from drainage point of view.
- (b) In the applicant's submission, it is mentioned that he/she would maintain the implemented drainage facilities under the approved application No. A/YL-HTF/1183. However, there are changes between the current application and the previously approved application. Should the Town Planning Board (TPB) consider the application acceptable from the planning point of view, approval conditions should be stipulated requiring the applicant to submit a drainage impact assessment to demonstrate that the proposed use of the Site or the changes compared with the approved application would not cause adverse drainage impacts to the area, and to implement and maintain the proposed drainage facilities to the satisfaction of the Director of Drainage Services or of the TPB.

- (c) The applicant should note her advisory comments at **Appendix V**.

4. Fire Safety

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

- (a) He has no objection in principle to the application subject to fire service installations and water supplies for firefighting being provided to his satisfaction.
- (b) The applicant should note his advisory comments at **Appendix V**.

5. Building Matters

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

- (a) He has no objection to the application.
- (b) As there is no record of approval granted by the Building Authority (BA) for the existing structures at the Site, he is not in a position to offer comments on their suitability for the use proposed in the application.
- (c) It is noted that nine structures and associated filling of land and pond 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 BA should be obtained, 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.
- (d) The applicant should note his advisory comments at **Appendix V**.

6. District Officer's Comments

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

His office has not received any locals' comment on the application.

7. Other Departments' Comments

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

- (a) Director of Agriculture, Fisheries and Conservation (DAFC);
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (c) Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD);
- (d) Head of Geotechnical Engineering Office (H(GEO)), CEDD; and
- (e) Commissioner of Police (C of P).

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 Short Term Waiver (STW) holder(s) will need to apply to his office for modification of the STW conditions where appropriate. The lot owner(s) shall apply to his office for STW(s) and Short Term Tenancy(s) (STT(s)) to permit the structure(s) erected within the said private lot(s) and the occupation of the Government Land. The application(s) for STW/STT will be considered by the Government in its capacity as a landlord and there is no guarantee that it/they will be approved. The application(s), 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 proposed 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:
 - (i) the existing single track road underneath Kong Sham Western Highway is currently under TD's purview, which will be upgraded to a dual-2-carriageway by the Civil Engineering and Development Department (CEDD) (namely Road P1), according to the gazette road scheme. As the proposed Road P1 is still under construction and not yet handed over to TD, the applicant shall liaise with CEDD on the vehicular access arrangement at Road P1 during construction stage; and
 - (ii) 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;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
 - (i) the vehicular accesses from Kong Sham Western Highway to the Site are not currently maintained by HyD and HyD will not take up the maintenance responsibility of the accesses; and
 - (ii) 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 Environmental Protection (DEP) that
 - (i) the applicant should consult and confirm with the Environmental Protection Department (EPD) whether the proposed works would constitute any designated project under Schedule 2 of the Environmental Impact Assessment Ordinance should there be any change in the development proposal which results in works within the adjacent "Conservation Area" ("CA") zone or any change in the proposed uses of the Site;
 - (ii) workshop activities shall be carried out within enclosed structures as proposed during the planning approval period;

- (iii) the applicant should follow the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites';
 - (iv) 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 EPD' including completion of percolation test and certification by Authorized Person;
 - (v) provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the proposed uses. 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 EPD's Practice Note for Professional Persons PN 1/23 'Drainage Plans subject to Comment by the Environmental Protection Department' including completion of percolation test and certification by Authorized Persons;
 - (vi) the applicant should provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the proposed/applied uses; and
 - (vii) the applicant should meet the statutory requirements under relevant pollution control ordinances;
- (g) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
- (i) the applicant/owner should have its own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from surrounding of the Site, e.g. surface channel of sufficient size along the perimeter of the Site; sufficient openings should be provided at the bottom of the boundary wall/fence to allow surface runoff to pass through the Site if any boundary wall/fence are to be erected. Any existing flow path affected should be re-provided. The applicant/owner should neither obstruct overland flow nor adversely affect the existing natural streams, village drains, ditches and the adjacent areas. The applicant/owner should be reminded that the 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/owner 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 the application; and
 - (ii) the cost and work of drainage as well as future maintenance responsibility shall be borne by the applicant;
- (h) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that:
- (i) according to the Tree Preservation and Landscape Proposal (TPLP), a total of 52 existing trees (excluding one tree of undesirable species) were identified, of which 47 trees are proposed to be retained and five trees are proposed to be removed. A total 324 new trees

of standard size are proposed to be planted along the periphery of the Site. As shown on the Landscape Master Plan of the TPLP, trees of “standard size” are proposed, which does not tally with the stated trees of “heavy standard size” in the Planting Schedule. It is considered that trees of “heavy standard size” should be proposed to serve the function of buffer tree planting;

- (ii) according to Table 6.0 of the TPLP, four native tree species and one exotic species are proposed for the new tree planting. However, the quoted exotic species *Millettia pinnata* (水黃皮) should also be a native species according to its Chinese Name;
 - (iii) on the Landscape Master Plan, it is observed that a planting buffer area of new trees is proposed along most of the periphery of the Site except for the main vehicular access at the eastern portion. New trees planting along the main vehicular access should be considered to serve as a landscape buffer for the woodland within adjacent “CA” zone and ponds and agricultural land within the “Green Belt” zone as far as practicable; and
 - (iv) 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;
- (i) 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 layout plans should be drawn to scale and depicted with dimensions and the nature of occupancy;
 - (iii) the location of the proposed FSIs to be installed should be clearly marked on the layout plans; and
 - (iv) if the proposed structures are required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire safety requirements will be formulated upon receipt of the formal submission of general building plans;
- (j) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) the Site is considered as two separate sites and each of them 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;
 - (ii) both of the two sites do 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;
 - (iii) land of any pertinent right of way within the captioned lots giving access from a street to the land-locked site in D.D. 125 Lot 1400 for compliance with Regulation 5 of the B(P)R should be provided and excluded from the site area calculation for the purpose of determining the development intensity under Regulation 19(3) of the B(P)R;
 - (iv) if the existing structure (not being a New Territories Exempted House) is erected on leased land without the approval of the Building Authority, they are unauthorized building works

(UBW) under the BO and should not be designated for any proposed use under the captioned 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 application 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;
 - (vii) the 11m high workshop is considered excessive. It should be justified upon formal plan submission to BD; and
 - (viii) detailed checking under the BO will be carried out at building plan submission stage;
- (k) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that:
- (i) the applicant should implement appropriate measures during both the construction and operational phases to prevent deterioration of water quality and avoid adverse impacts on the operation of the fish ponds in the vicinity of the Site; and
 - (ii) the applicant should be reminded that the establishment and maintenance of planting buffer area along the site boundary should not adversely affect water quality or the operation of fisheries activities in the adjacent fish ponds;
- (l) to note the comments of the Head of Geotechnical Engineering Office (H(GEO)), CEDD that five existing registered man-made slopes (Feature No. 6NW-A/C135, 6NW-A/C136, 6NW-A/C138, 6NW-A/C145, 6NW-A/C146) and some unregistered slopes (i.e. slopes adjoining Feature No. 6NW-A/C135, 6NW-A/C138 and 6NW-A/C146, a slope within Lot 1397 in D.D.125) are located within or in vicinity of the Site. These slopes may affect or be affected by the proposed development. The applicant should be reminded to make necessary site formation submission(s), including but not limited to stability assessments of the existing/proposed geotechnical features within or in the vicinity of the Site, to BD for approval as required under the provisions of BO if found applicable; and
- (m) to note the comments of the Commissioner of Police (C of P) that in view of public safety, the applicant must maintain smooth traffic flow of the concerned location and provide sufficient safety precaution to avoid obstruction or danger caused to any person or vehicle on the road.

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tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年09月24日星期四 17:00
收件者: tpbpd/PLAND
主旨: WWF s16_A_YL-HTF_1214 20260924
附件: s16_A_YL-HTF_1214 20260924 WWF.pdf

類別: Internet Email

Dear Sir/Madame,

Attached please find our submission regarding the planning application **A/YL-HTF/1214**.

Thank you for your attention.

Yours faithfully,
Mr. Tobi Lau
Senior Manager, HK Biodiversity and Conservation Policy
WWF-Hong Kong

Registered Name 註冊名稱: World Wide Fund For Nature Hong Kong 世界自然(香港)基金會 (Incorporated in Hong Kong with limited liability by guarantee 於香港註冊成立的擔保有限公司). This email (including any attachments) is intended for the use of the designated recipient(s) only, which may contain confidential, non-public, proprietary information, and/or be protected by the attorney-client or other privilege. Any unauthorized reading, distribution, copying, or other use of this communication is strictly prohibited and may be unlawful. Receipt by anyone other than the intended recipient(s) should not be deemed a waiver of any privilege or protection. If you are not the intended recipient or believe you have received this email in error, please notify the sender immediately and delete this email from your computer system. This email and any attachments are checked for viruses and other malicious software ("malware"). However, the sender does not warrant, represent, or guarantee in any way that this communication is free from malware or potentially damaging defects. The sender disclaims all liability for any errors, omissions, or damages arising out of or in connection with the use or reliance on the information contained in this email.



24 Sept 2026

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

By E-mail ONLY

Dear Chair and Board Members,

RE: Proposed Temporary Rebar Workshop and Warehouse for Storage of Construction Materials and Machineries with Ancillary Facilities and Associated Filling of Land and Pond and Excavation of Land for a Period of 3 Years in the "Green Belt" zone in Ha Tsuen in Yuen Long (A/YL-HTF/1213)

We would like to show *serious concerns* to the captioned.

A/YL-HTF/1183 Should Not Be Considered a Relevant Precedent for A/YL-HTF/1214 Due to Materially Changed Planning Circumstances

Based on the previous planning application at the same site, Application No. A/YL-HTF/1183, which covered a slightly different site boundary and involved a different range of proposed uses, planning permission was granted by the Town Planning Board. Notably, while A/YL-HTF/1183 sought permission for a temporary warehouse for the storage of construction materials and machinery, parking of special purpose vehicles, and a rural workshop with ancillary facilities, A/YL-HTF/1214 proposes a temporary rebar workshop and warehouse for the storage of construction materials and machinery with ancillary facilities. The introduction of a dedicated rebar workshop represents a distinct operational use that may give rise to different land-use and environmental implications.

In approving A/YL-HTF/1183, the Committee noted that the future land use of the Site was under review as part of the *"Developments at Lau Fau Shan, Tsim Bei Tsui and Pak Nai Areas - Investigation"*, jointly commissioned by the Civil Engineering and Development Department (CEDD) and the PlanD. However, according to the latest EIA Project Profile (PP-703/2026), the application site under A/YL-HTF/1214 has since been excluded from the proposed development area under the *"Developments at Lau Fau Shan, Tsim Bei Tsui and Pak Nai Areas"* project (Figure 1).

Given these material changes in both the planning context and the nature of the proposed development, the considerations that underpinned the approval of

together possible™

贊助人：中華人民共和國
香港特別行政區行政長官
李家超先生，大紫荊勳章，SBS, PDSM
主席：白丹尼先生
行政總裁：黃錦霞女士

核數師：富喜瑪澤會計師事務所有限公司
公司秘書：嘉信秘書服務有限公司
義務顧問：匯豐銀行
註冊慈善機構

Patron: The Honourable John Lee Ka-chiu, GBM, SBS, PDSM
The Chief Executive, Hong Kong Special Administrative Region
People's Republic of China
Chairman: Mr Daniel R Bradshaw
CEO: Ms Nicole Wong

Auditors: Forvis Mazars CPA Limited
Company Secretary:
McCabe Secretarial Services Limited
Honorary Treasurer: HSBC
Registered Charity
(Incorporated With Limited Liability)

註冊名稱 Registered Name: 世界自然(香港)基金會 World Wide Fund For Nature Hong Kong
(於香港註冊成立的擔保有限公司 Incorporated in Hong Kong with limited liability by guarantee)

A/YL-HTF/1183 are no longer directly applicable. Accordingly, the approval of A/YL-HTF/1183 should not be relied upon as a justification or precedent for approving A/YL-HTF/1214.

Key Environmental Impacts of the Proposed Rebar Workshop Not Considered under A/YL-HTF/1183

The approval of A/YL-HTF/1183 did not involve a dedicated rebar workshop and therefore did not specifically consider the environmental impacts associated with rebar processing activities. As A/YL-HTF/1214 proposes a temporary rebar workshop, its potential environmental impacts warrant separate assessment and should not be assumed to have been addressed under the previous approval. Key concerns include:

Noise and Vibration Impacts

Rebar processing activities, including cutting, bending, shearing, and material handling, can generate substantial noise and vibration. Given the close proximity of the Application Site to the "Conservation Area" ("CA") zone, these activities may adversely affect nearby sensitive receivers and wildlife habitats through disturbance, particularly in the absence of adequate noise and operational mitigation measures.

Drainage Risks

The outdoor storage and handling of steel materials may give rise to rust-laden runoff (iron oxides), while the operation of machinery may result in oil, grease, or other contaminants entering drainage channel/watercourse in the vicinity through surface runoff.

Given that these impacts are directly associated with the proposed rebar workshop and were not specifically assessed under A/YL-HTF/1183, the previous approval should not be relied upon to demonstrate the environmental acceptability of A/YL-HTF/1214. The current application should therefore be assessed on its own merits, taking into account the potential environmental impacts arising from the proposed rebar workshop operations.

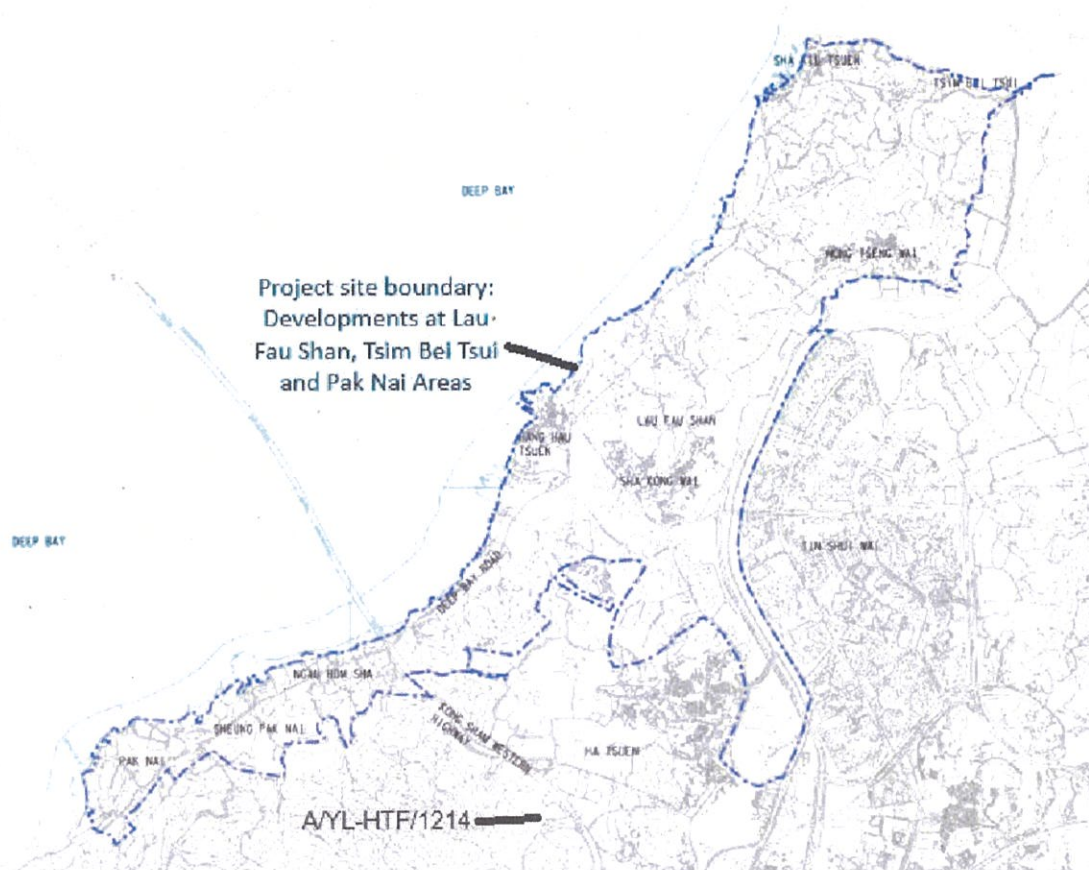
We would be grateful if our comments could be considered by the Town Planning Board.

Kind regards,



Mr. Tobi Lau
Senior Manager, HK Biodiversity and Conservation Policy
WWF-Hong Kong

Figure 1. Application Site A/YL-HTF/1214 Falls Outside the Proposed Development Boundary of the "Developments at Lau Fau Shan, Tsim Bei Tsui and Pak Nai Areas" Project



Basemap: Figure 1 of the EIA Project Profile PP-703/2026 - Developments at Lau Fau Shan, Tsim Bei Tsui and Pak Nai Areas:
[https://www.epd.gov.hk/eia/files/applications/en/pp_1020/esb_6466/profile/Project%20Profile_v9.2%20\(Eng\)_clean.pdf](https://www.epd.gov.hk/eia/files/applications/en/pp_1020/esb_6466/profile/Project%20Profile_v9.2%20(Eng)_clean.pdf)

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年09月26日星期六 0:53
收件者: tpbpd/PLAND
副本: Enquiry CEO/CEO; DEVB Enquiry/DEVB; tmylwdpo_pd/PLAND
主旨: A/YL-HTF/1214 DD 125 Ling To Tsz, Ha Tsuen
類別: Internet Email

A/YL-HTF/1214

Lots 1366 (Part), 1373, 1374, 1375, 1376, 1377, 1378 (Part), 1380 (Part), 1381, 1382 (Part), 1383, 1384, 1385, 1386, 1387 (Part), 1389, 1390 (Part), 1391 (Part), 1392 (Part), 1393 (Part), 1395 (Part), 1396, 1397 (Part), 1398 S.A, 1398 S.B, 1399 S.A (Part), 1399 S.B (Part), 1401 (Part), 1402, 1403, 1414, 1415 and 1417 in D.D.125 and Adjoining Government Land, Ling To Tsz, Ha Tsuen

Site area: About 42,497sq.m Includes Government Land of about 6,583sq.m

Zoning: "Green Belt"

Applied use: Rebar Workshop, Warehouse for Storage of Construction Materials and Machineries / 38 Parking of Special Purpose Vehicles / 21 Vehicle Parking / **Filling of Land and Pond and Excavation of Land**

Dear TPB Members,

1183 approved 28 Feb 2025 despite the blatant abuse of process, published guidelines and Policy Address declaration. Of course, conditions not fulfilled so back with some additional GL and a change of use to the polluting rebar workshop.

Cutting, bending, and shearing steel rebars releases microscopic metal dust and iron oxide particles into the air. This creates health risks for workers and nearby communities.

Welding generates fumes containing hazardous substances like manganese, chromium, and nickel.

On-site cutting creates "trim loss" or scrap metal, which usually accounts for 3% to 5% of total rebar usage. If the scrap metal is in properly sorted it can create substantial amounts of metal waste and toxic industrial dust that end up in landfills.

Heavy machinery, such as automatic shearing lines, straightening machines, and mechanical benders, creates high levels of continuous mechanical noise that impacts the surrounding local environment. The site if 'GB' buffer adjacent to 'CA' and the noise will definitely impact he flora and fauna of the zone that should be protected.

Rebar workshops rely heavily on grid power or diesel generators to run heavy equipment, contributing to greenhouse gas emissions and with impact on the 'CA'.

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All this on lots that should never have been approved for brownfield in the first place and underline the fact that the site can never be rehabilitated.

Strongest Objections to an operation that should not have been approved in the first place and shame on the proponents and the govt depts and TPB members who facilitated the trashing of 'GB'. The promise to plant 300+ trees is GREENWASH as the nature of the operation would create conditions that would stunt their growth and hinder the development of an ecosystem.

Mary Mulvihill

From: [REDACTED]
To: "tpbpd/PLAND" <tpbpd@pland.gov.hk>
Cc: "Enquiry CEO/CEO" <ceo@ceo.gov.hk>, "DEVB Enquiry/DEVB" <devbenq@devb.gov.hk>, "tmylwdpo_pd/PLAND" <tmylwdpo@pland.gov.hk>
Sent: Saturday, May 3, 2025 3:15:31 AM
Subject: Re: GOVERNMENT BUREAU CANNOT IGNORE REGULATIONS FOR EXPEDIENCY SAKE

Dear Charmaine,

We are now in a very precarious situation whereby the administration refuses to directly answer questions and responds to all issues of accountability with the same formula that translates into 'we can do whatever we want, so suck it up,'

Mary

From: [REDACTED]
To: [REDACTED]
Cc: Enquiry <ceo@ceo.gov.hk>; DEVB <devbenq@devb.gov.hk>; tmylwdpo_pd <tmylwdpo@pland.gov.hk>
Date: Friday, 2 May 2025 5:51 PM HKT
Subject: Re: GOVERNMENT BUREAU CANNOT IGNORE REGULATIONS FOR EXPEDIENCY SAKE

Dear Ms. Mulvihill,

I refer to your email dated 12.4.2025.

Our previous reply dated 11.4.2025 remains valid and we have nothing to supplement. Thank you.

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(Charmaine NG)

Town Planning Board Secretariat

From: [REDACTED]

Sent: Saturday, April 12, 2025 2:27 AM

To: tpbbpd/PLAND <tpbbpd@pland.gov.hk>

Cc: Enquiry CEO/CEO <ceo@ceo.gov.hk>; DEVB Enquiry/DEVB <devbenq@devb.gov.hk>; tmylwdpo_pd/PLAND <tmylwdpo@pland.gov.hk>

Subject: Re: GOVERNMENT BUREAU CANNOT IGNORE REGULATIONS FOR EXPEDIENCY SAKE

Dear Charmaine,

Once again the copy and paste response is not addressing the real issue.

Development Bureau is ignoring the statement made in the Policy Address re no further need to trash Green Belt.

It is also overriding the planning intention of GB and TPB guidelines..

Bureau support is putting pressure on government departments that recognize that it is prudent to stay quiet with regard to inappropriate applications when they have the support of DB.

Ditto with regard to members of TPB.

Fulfilling conditions, etc is irrelevant. As for reinstatement of the site, I know, DB knows, TPB knows, this will never happen.

No doubt the response to this will be, as per similar cases in which due process has been ignored,

"I refer to your further email of regarding our earlier response to you on in respect of the captioned

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Please be advised that our previous replies on the subject matter are still valid and we have nothing to supplement.

Thank you for your attention to this matter."

The administration has abandoned all pretences that there is any accountability.

Mary Mulvihill

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

To: [REDACTED]

Cc: Enquiry <ceo@ceo.gov.hk>; DEVB <devbenq@devb.gov.hk>; tmylwdpo_pd
<tmylwdpo@pland.gov.hk>

Date: Friday, 11 April 2025 5:51 PM HKT

Subject: Re: GOVERNMENT BUREAU CANNOT IGNORE REGULATIONS FOR EXPEDIENCY
SAKE

Dear Ms. Mulvihill,

I refer to your email dated 28.3.2025 addressed to the Chief Executive's Office and copied to the Secretariat of the Town Planning Board (TPB). Having consulted the Tuen Mun & Yuen Long West District Planning Office of the Planning Department (PlanD), our responses are as follows:

On 3.1.2025, the Town Planning Board (TPB) received a planning application No. A/YL-HTF/1183 seeking permission for proposed temporary warehouse for storage of construction materials and machineries, parking of special purpose vehicles and rural workshop with ancillary facilities for a period of three years and associated filling of land and pond and excavation of land at the application site (the Site). According to the applicant, the application is to facilitate the relocation of three existing business operations affected by the Second Phase Development of the Hung Shui Kiu/Ha Tsuen New Development Area. The Site falls within an area zoned "Green Belt" ("GB") on the approved Ha Tsuen Fringe (HTF) Outline Zoning Plan (OZP) No. S/YL-HTF/12, with minor encroachment onto an area shown as 'Road' on the approved Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/2.

Upon considering all relevant planning considerations, including but not limited to the applicant's proposal, relevant TPB guidelines, comments of concerned bureau and departments, and public comments, the Rural and New Town Planning Committee (RNTPC) decided to approve the

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application with conditions on a temporary basis for a period of three years until 28.2.2028, on the terms of the application as submitted to the TPB and subject to the approval conditions stated in the subject RNTPC Paper. The subject RNTPC paper and minutes of the RNTPC meeting on 28.2.2025 are available at the TPB's website (https://www.tpb.gov.hk/en/meetings/rntpc_meeting.html). You may wish to note that if any of the approval conditions is not complied with by the specified time limit/during the planning approval period, where appropriate, the permission granted shall be revoked without further notice.

Regarding your concern on the reinstatement of the Site after the planning approval period, please note that approval condition (k) requires the reinstatement of the Site, including the removal of fill materials and hard paving and grassing of the Site to the satisfaction of the Director of Planning or of the TPB upon expiry of the planning permission. PlanD will, in consultation with relevant department(s) as appropriate, closely monitor the site condition and compliance with this approval condition. Failure to reinstate the Site as required under the 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.

Thank you for your concern on the planning matter.

(Charmaine NG)

Town Planning Board Secretariat

From: Enquiry CEO/CEO

Sent: Wednesday, April 2, 2025 10:39 AM

To: [REDACTED]

Subject: Re: GOVERNMENT BUREAU CANNOT IGNORE REGULATIONS FOR EXPEDIENCY SAKE

Dear Ms Mulvihill,

Thank you for your email of 28 March to the Chief Executive. I am authorised to reply on his behalf. The matters raised in your email have been relayed to

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the Development Bureau for follow-up. A reply will be given to you in due course.

Yours sincerely,

(Andy Chan)

for Private Secretary to the Chief Executive

From: [REDACTED]
Sent: Friday, March 28, 2025 4:12 AM
To: Enquiry CEO/CEO <ceo@ceo.gov.hk>
Cc: tpbpd/PLAND <tpbpd@pland.gov.hk>
Subject: GOVERNMENT BUREAU CANNOT IGNORE REGULATIONS FOR EXPEDIENCY SAKE

Dear CE,

It appears that you have failed to inform the Development Bureau of your policy initiatives.

POLICY ADDRESS 2023

Developing the rest of the "Green Belt" areas, which include many slopes, has been considered highly challenging. As we have already identified enough land for housing, industry and other developments for the coming 30 years, the Government has no plan for the time being to further use the "Green Belt" areas for large-scale development. Nonetheless, we will consider using some of the sites for recreational and tourism purposes.

The approval of A/YL-HTF/1183 was achieved despite the zoning, the strong objections from some government departments and the fact that the statement ***"The applicant will strictly follow the proposed scheme and reinstate the Site to an amenity area after the planning approval period"*** is impossible as the site is large and will be filled in to a depth of more than 4m.

The only reason for approval was support from the Development Bureau. The board members therefore failed in their duty to assess the application on its merits and succumbed to pressure from a government bureau. This is in breach of a number of judicial reviews that dictated that the board has a duty to independently assess plans.

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Out of the 350 trees on the Site, 217 (all of common species and generally of poor tree form and/or health condition) will be felled, 119 will be retained and 14 will be transplanted.

A total of 238 new trees of standard size will be planted on the Site with a compensation ratio of 1:1.1.

THESE WILL BE IN ROWS ON SITE BOUNDARY AND WILL THEREFORE NOT PROVIDE A NATURAL HABITAT

Majority of the Site (about 88%) will then be filled with soil and concrete with a depth of not more than 4.1m, including the existing pond which accounts for about 2% of the site area and with a depth of about 1m. Apart from the above proposed site formation works, the applicant seeks regularisation on filling of ponds with 1m in depth which had been undertaken mainly along the western periphery of the Site (about 14%)

Comments from Relevant Government Bureau/Departments

10.1 Apart from the government bureau/departments as set out in paragraphs 10.2 and 10.3 below, **other departments consulted have no objection to or no adverse**

comment on the application. Their general comments on the application and advisory comments are provided in Appendices IV and V respectively.

BECAUSE THEY WOULD NOT DARE OPPOSE DEVELOPMENT BUREAU

10.2 The following government bureau supports the application: **Policy Support**

10.2.1 Comments of the Secretary for Development (SDEV):

(a) the application is to facilitate relocation of three brownfield operations mainly engage in storage of construction materials and repairing workshops which are currently situated at various lots in D.D. 124 in Yuen Long. The three brownfield operations will be affected by the Second Phase Development of HSK/HT NDA;

10.3 **The following government departments have reservation/concerns on/do not support the application:** Land Administration

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

(a) the Site comprises 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, and GL;

(b) no permission is given for occupation of GL (about 5,568m²) subject to verification) included in the Site. Any occupation of GL without the Government's prior approval is not allowed;

(c) Short Term Tenancy (STT) application for the piece of GL (about 1,409m² subject to verification) (i.e. the proposed access road to the western portion of the Site) will not be considered.

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According to the established practice, STT application for the purpose of access road on GL will normally not be entertained, even if the application is approved by the Board. If an emergency vehicular access on GL is requested by the Board and/or other government departments, a non-exclusive right of way (ROW) clause over GL in the Short Term Waiver (STW) application may be considered by his office; (d) the following irregularities covered by the subject planning application have been detected by his office:

LandsD has reservation on the planning application since there are **unauthorized structure(s)** on Lots 1375, 1387, 1392, 1393 and 1399 S.B all in D.D. 125 which are **already subject to lease enforcement actions according to case priority**. The lot owner(s) should apply for regularization on the lease breaches as demanded by LandsD; and

Agriculture, Fisheries and Nature Conservation

10.3.2 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

(a) given the current circumstances, he has no strong view on the application from agricultural point of view;

AS IN DOES NOT DARE TO OPPOSE DEVELOPMENT BUREAU

Based on the site photos dated January 2025, large areas of the eastern portion of the Site have already been hard-paved with concrete

Deliberation Session

124. As the application site (the Site) mainly fell within the "GB" zone, a **Member considered that approval might not be granted without policy support from the Development Bureau** to facilitate the relocation of brownfield operations affected by the Hung Shui Kiu/Ha Tsuen New Development Area.

The Committee noted that the future land use of the Site was being reviewed under the 'Developments at Lau Fau Shan, Tsim Bei Tsui and Pak Nai Areas – Investigation' jointly commissioned by the Civil Engineering and Development Department and PlanD.

BUT FUTURE LAND USE SHOULD BE SUBJECT TO PUBLIC CONSULTATION VIA THE OZP PROCESS

Expediency is not a justification to override policy or ordinance related guidelines.

It is time that as CE you ensure that government departments respect and uphold the legal framework and that bureaux be reminded that they should not intimidate departments and advisory board members into compliance with their objectives.

Mary Mulvihill

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From: [REDACTED]

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

Date: Thursday, 30 January 2025 2:18 AM HKT

Subject: A/YL-HTF/1183 DD 125 Ling To Tsz, Ha Tsuen

A/YL-HTF/1183

Various Lots in D.D.125 and Adjoining Government Land, Ling To Tsz, Ha Tsuen

Site area: About 41,569sq.m Includes Government Land of about 5,568sq.m

Zoning: "Green Belt" and area shown as 'Road'

Applied use: Warehouse for Storage of Construction Materials and

Machineries / 32 Parking of Special Purpose Vehicles / Rural Workshop/ 27 Vehicle Parking
/ **Filling of Land and Pond and Excavation of Land**

Dear TPB Members,

168 withdrawn, back with warehouse, still a brownfield operation.

Green Belt, fringes on Country Park, close to a monastery, significant amount of Government Land, chopping hundreds of trees.

ABSOLUTELY ZERO JUSTIFICATION.

A significant amount of "Agriculture" zoning has already been classified as Cat 2 to accommodate operations like this.

Previous objections relevant and upheld.

Mary Mulvihill

From: [REDACTED]

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

Date: Wednesday, 5 June 2024 2:47 AM HKT

Subject: Re: A/YL-HTF/1168 DD 125 Ling To Tsz, Ha Tsuen

Dear TPB Members,

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I would remind members that the Policy Address 2023 explicitly refers to 'GB'. "As we have already identified enough land for housing, industry and other developments for the coming 30 years, the Government has no plan for the time being to further use the "Green Belt" areas for large-scale development. Nonetheless, we will consider using some of the sites for recreational and tourism purposes"

This large site is zoned "GB' and some of it Government Land' and the intended use is the most destructive, open storage, indicates that if this application is approved that the administration and TPB have complete disregard for the numerous regulations and guidelines that would be breached.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Tuesday, 12 March 2024 2:52 AM HKT
Subject: Re: A/YL-HTF/1168 DD 125 Ling To Tsz, Ha Tsuen

I would add that this is effectively a rezoning of a large site and should be a Sect 12 application

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Tuesday, 12 March 2024 2:49 AM HKT
Subject: A/YL-HTF/1168 DD 125 Ling To Tsz, Ha Tsuen

A/YL-HTF/1168

Various Lots in D.D.125 and Adjoining Government Land, Ling To Tsz, Ha Tsuen

Site area: About 41,569sq.m Includes Government Land of about 5,568sq.m

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Zoning: "Green Belt" and area shown as 'Road'

Applied use: Open Storage of Construction Materials and Vehicles / 36 Vehicle Parking /
Filling of Land and Pond and Excavation of Land

Dear TPB Members,

Strongest Objections. When the administration pledged to phase out brownfield operations by resuming the lots and developing them into new town, it did not reveal that the process would result in an equal amount of, lets call it, 'virgin' land would be trashed and converted to brownfield use.

Where are the industrial parks that were promised as a solution to the elimination of brownfield?

The administration and operators instead of cooperating to develop them are now resorting to the traditional solution of trashing the countryside for cheap and shoddy solutions.

The site is on the fringes of Country Park. The operation would effectively bring development into the west side of Kong Shan Western Highway. Some ponds would be filled in and the remaining ponds separated from the 'CA' impacting the flora, fauna and ecology of the area. This is reinforced by the removal of so many trees and the role they play in the ecosystem.

As site formation works should be carried out to form the temporary open storage, 217 of total 350 surveyed trees will be affected by the site formation works inevitably.

Notable also is no attempt to reduce the footprint of the operation via the use of stacking and any form of modern technology.

While the administration is encouraging the encroachment of brownfield into 'Agriculture' zoning this is an out and out attack on the buffer zone of a country park and would inflict damage that could not be reversed on its integrity.

The application should be rejected.

Mary Mulvihill