

2023年 1月 1 日

收到 - 城市規劃委員會
The Town Planning Board

Appendix I of RNTPC
Paper No. A/NE-MTL/10

This document is received on 11 JAN 2023
The Town Planning Board will formally acknowledge
the date of receipt of the application only upon receipt
of all the required information and documents.

Form No. S16-III
表格第 S16-III 號

**APPLICATION FOR PERMISSION
UNDER SECTION 16 OF
THE TOWN PLANNING ORDINANCE
(CAP.131)**

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

**Applicable to Proposal Only Involving Temporary Use/Development of
Land and/or Building Not Exceeding 3 Years in Rural Areas or Renewal
of Permission for such Temporary Use or Development***

**適用於祇涉及位於鄉郊地區土地上及/或建築物內進行為期不超過三年
的臨時用途/發展或該等臨時用途/發展的許可續期的建議***

*Form No. S16-I should be used for other Temporary Use/Development of Land and/or Building (e.g. temporary use/developments in the Urban Area) and Renewal of Permission for such Temporary Use or Development.

*其他土地上及/或建築物內的臨時用途/發展 (例如位於市區內的臨時用途或發展) 及有關該等臨時用途/發展的許可續期，應使用表格第 S16-I 號。

Applicant who would like to publish the notice of application in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers:
https://www.info.gov.hk/tpb/en/plan_application/apply.html

申請人如欲在本地報章刊登申請通知，以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行土地擁有人所指定的其中一項合理步驟，請瀏覽以下網址有關在指定的報章刊登通知：
https://www.info.gov.hk/tpb/tc/plan_application/apply.html

General Note and Annotation for the Form

填寫表格的一般指引及註解

* "Current land owner" means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made

「現行土地擁有人」指在提出申請前六星期，其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人

※ Please attach documentary proof 請夾附證明文件

^ Please insert number where appropriate 請在適當地方註明編號

Please fill "NA" for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足，請另頁說明

Please insert a "✓" at the appropriate box 請在適當的方格內加上「✓」號

2203026 6/11 by courier

Form No. S16-III 表格第 S16-III 號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A / NE - MTL / 10
	Date Received 收到日期	11 JAN 2023

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申請人須把填妥的申請表格及其他支持申請的文件(倘有), 送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會(下稱「委員會」)秘書收。
- Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <http://www.info.gov.hk/tpp/>. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).
請先細閱《申請須知》的資料單張, 然後填寫此表格。該份文件可從委員會的網頁下載(網址: <http://www.info.gov.hk/tpp/>), 亦可向委員會秘書處(香港北角渣華道 333 號北角政府合署 15 樓 - 電話: 2231 4810 或 2231 4835)及規劃署的規劃資料查詢處(熱線: 2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓)索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.
此表格可從委員會的網頁下載, 亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全, 委員會可拒絕處理有關申請。

1. Name of Applicant 申請人姓名/名稱

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☒ Company 公司 / ☐ Organisation 機構)

Brother Inter Limited 兄弟國際有限公司

2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)

(☒ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☐ Company 公司 / ☐ Organisation 機構)

Pang Hing Yeun 彭慶餘

3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable).
詳細地址/地點/丈量約份及地段號碼(如適用)

Lot Nos. 309, 310 RP (Part), 311, 316 (Part), 322 (Part), 323 (Part), 324, 325 (Part), 330 RP (Part), 362 (Part), 363 (Part) and Adjoining Government Land in D.D. 89, Lo Wu, New Territories.

新界羅湖丈量約份第89約地段第309號, 310號餘段(部份), 311號, 316號(部份), 322號(部份), 323號(部份), 324號, 325號(部份), 330號餘段(部份), 362(部份), 363(部份)及毗鄰政府土地

(b) Site area and/or gross floor area involved
涉及的地盤面積及/或總樓面面積☒ Site area 地盤面積 9991.90 sq.m 平方米 ☐ About 約☒ Gross floor area 總樓面面積 104.10 sq.m 平方米 ☐ About 約(c) Area of Government land included (if any)
所包括的政府土地面積(倘有)..... 2158.11 sq.m 平方米 ☐ About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	S/NE-MTL/3 馬草壩分區計劃大綱圖
(e) Land use zone(s) involved 涉及的土地用途地帶	Green Belt 綠化
(f) Current use(s) 現時用途	Vacant 空置 (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

4. "Current Land Owner" of Application Site 申請地點的「現行土地擁有人」

The applicant 申請人 -

- ☐ is the sole "current land owner"²⁸ (please proceed to Part 6 and attach documentary proof of ownership).
是唯一的「現行土地擁有人」²⁸ (請繼續填寫第 6 部分，並夾附業權證明文件)。
- ☐ is one of the "current land owners"²⁸ (please attach documentary proof of ownership).
是其中一名「現行土地擁有人」²⁸ (請夾附業權證明文件)。
- ☒ is not a "current land owner"²⁸.
並不是「現行土地擁有人」²⁸。
- ☐ The application site is entirely on Government land (please proceed to Part 6).
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

5. Statement on Owner's Consent/Notification

就土地擁有人的同意/通知土地擁有人的陳述

- (a) According to the record(s) of the Land Registry as at (DD/MM/YYYY), this application involves a total of "current land owner(s)"²⁸.
根據土地註冊處截至 年 月 日的記錄，這宗申請共牽涉 名「現行土地擁有人」²⁸。

(b) The applicant 申請人 -

- ☐ has obtained consent(s) of "current land owner(s)"²⁸.
已取得 名「現行土地擁有人」²⁸的同意。

Details of consent of "current land owner(s)" ²⁸ obtained 取得「現行土地擁有人」 ²⁸ 同意的詳情		
No. of "Current Land Owner(s)" 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼/處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has notified "current land owner(s)"^a
已通知 名「現行土地擁有人」^a。

Details of the "current land owner(s)" ^a notified 已獲通知「現行土地擁有人」 ^a 的詳細資料		
No. of "Current Land Owner(s)" 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where notification(s) has/have been given 根據土地註冊處記錄已發出通知的地段號碼/處所地址	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上述任何方格的空間不足，請另頁說明)

- ☒ has taken reasonable steps to obtain consent of or give notification to owner(s):
已採取合理步驟以取得土地擁有人的同意或向該人發給通知。詳情如下：

Reasonable Steps to Obtain Consent of Owner(s) 取得土地擁有人的同意所採取的合理步驟

- ☐ sent request for consent to the "current land owner(s)" on (DD/MM/YYYY)^a
於 (日/月/年)向每一名「現行土地擁有人」^a郵遞要求同意書^a

Reasonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟

- ☐ published notices in local newspapers on (DD/MM/YYYY)^a
於 (日/月/年)在指定報章就申請刊登一次通知^a
- ☒ posted notice in a prominent position on or near application site/premises on
15-12-2022 (DD/MM/YYYY)^a
於 (日/月/年)在申請地點/申請處所或附近的顯明位置貼出關於該申請的通知^a
- ☒ sent notice to relevant owners' corporation(s)/owners' committee(s)/mutual aid committee(s)/management office(s) or rural committee on (DD/MM/YYYY)^a
於 15-12-2022 (日/月/年)把通知寄往相關的業主立案法團/業主委員會/互助委員會或管理處，或有關的鄉事委員會^a

Others 其他

- ☐ others (please specify)
其他 (請指明)

Note: May insert more than one 「✓」.

Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註: 可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段 (倘適用) 及處所 (倘有) 分別提供資料

6. Type(s) of Application 申請類別	
(A) Temporary Use/Development of Land and/or Building Not Exceeding 3 Years in Rural Areas 位於鄉郊地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展 (For Renewal of Permission for Temporary Use or Development in Rural Areas, please proceed to Part (B)) (如屬位於鄉郊地區臨時用途/發展的規劃許可續期, 請填寫(B)部分)	
(a) Proposed use(s)/development 擬議用途/發展	Proposed Temporary Place or Recreation, Sports or Culture (Hobby Farm) for Period of 3 Years 擬議臨時康體文娛場所(休閒農莊)(為期3年) (Please illustrate the details of the proposal on a layout plan) (請用平面圖說明擬議詳情)
(b) Effective period of permission applied for 申請的許可有效期間	<input checked="" type="checkbox"/> year(s) 年 3 <input type="checkbox"/> month(s) 個月
(c) Development Schedule 發展細節表	
Proposed uncovered land area 擬議露天土地面積	9895.24sq.m <input checked="" type="checkbox"/> About 約
Proposed covered land area 擬議有上蓋土地面積	96.66sq.m <input checked="" type="checkbox"/> About 約
Proposed number of buildings/structures 擬議建築物/構造物數目	7
Proposed domestic floor area 擬議住用樓面面積	NAsq.m <input type="checkbox"/> About 約
Proposed non-domestic floor area 擬議非住用樓面面積	104.10sq.m <input checked="" type="checkbox"/> About 約
Proposed gross floor area 擬議總樓面面積	104.10sq.m <input checked="" type="checkbox"/> About 約
Proposed height and use(s) of different floors of buildings/structures (if applicable) 建築物/構造物的擬議高度及不同樓層的擬議用途 (如適用) (Please use separate sheets if the space below is insufficient) (如以下空間不足, 請另頁說明)	
2個闊2.44m,長6.096m,高2.62m,一層高貨櫃用作辦公室; 2個闊2.44m,長6.096m,高2.62m,一層高貨櫃用作儲物室; 1個下層闊2.44m,長6.096m,高2.62m,及上層闊2.44m,長3.048m,高2.62m兩層高貨櫃用作休息室; 1個闊2.44m,長6.096m,高2.62m,一層高貨櫃用作洗手間; 1個闊2.44m,長3.048m,高2.62m,一層高貨櫃用作更衣室	
Proposed number of car parking spaces by types 不同種類停車位的擬議數目	
Private Car Parking Spaces 私家車車位	7個 (5m x 2.5m)
Motorcycle Parking Spaces 電單車車位	
Light Goods Vehicle Parking Spaces 輕型貨車泊車位	1個 (5m x 2.5m)
Medium Goods Vehicle Parking Spaces 中型貨車泊車位	
Heavy Goods Vehicle Parking Spaces 重型貨車泊車位	
Others (Please Specify) 其他 (請列明)	
Proposed number of loading/unloading spaces 上落客貨車位的擬議數目	
Taxi Spaces 的士車位	
Coach Spaces 旅遊巴士車位	
Light Goods Vehicle Spaces 輕型貨車車位	
Medium Goods Vehicle Spaces 中型貨車車位	
Heavy Goods Vehicle Spaces 重型貨車車位	
Others (Please Specify) 其他 (請列明)	

Proposed operating hours 擬議營運時間

星期一至日上午8:30至下午7:00 (包括公眾假期)

<p>(d) Any vehicular access to the site/subject building? 是否有車路通往地盤/ 有關建築物?</p>	<p>Yes 是</p> <p>No 否</p>	<p><input type="checkbox"/> There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用))</p> <p><input checked="" type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示, 並註明車路的闊度)</p> <p><input type="checkbox"/></p>																														
<p>(e) Impacts of Development Proposal 擬議發展計劃的影響 (If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures. 如需要的話, 請另頁註明可盡量減少可能出現不良影響的措施, 否則請提供理據/理由。)</p>																																
<p>(i) Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動?</p>	<p>Yes 是</p> <p>No 否</p>	<p><input type="checkbox"/> Please provide details 請提供詳情</p> <p>.....</p> <p>.....</p> <p>.....</p> <p><input checked="" type="checkbox"/></p>																														
<p>(ii) Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程?</p>	<p>Yes 是</p> <p>No 否</p>	<p><input type="checkbox"/> (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請在圖則顯示有關土地/池塘界線, 以及河道改道、填塘、填土及/或挖土的範圍)</p> <p><input type="checkbox"/> Diversion of stream 河道改道</p> <p><input type="checkbox"/> Filling of pond 填塘 Area of filling 填塘面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填塘深度 m 米 <input type="checkbox"/> About 約</p> <p><input type="checkbox"/> Filling of land 填土 Area of filling 填土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填土厚度 m 米 <input type="checkbox"/> About 約</p> <p><input type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of excavation 挖土深度 m 米 <input type="checkbox"/> About 約</p> <p><input checked="" type="checkbox"/></p>																														
<p>(iii) Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響?</p>	<table border="0"> <tr> <td>On environment 對環境</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On traffic 對交通</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On water supply 對供水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On drainage 對排水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On slopes 對斜坡</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Affected by slopes 受斜坡影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Landscape Impact 構成景觀影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Tree Felling 砍伐樹木</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Visual Impact 構成視覺影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Others (Please Specify) 其他 (請列明)</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> </table>		On environment 對環境	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On traffic 對交通	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On water supply 對供水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On drainage 對排水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On slopes 對斜坡	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Affected by slopes 受斜坡影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Landscape Impact 構成景觀影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Tree Felling 砍伐樹木	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Visual Impact 構成視覺影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>
On environment 對環境	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																														
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Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																														

	<p>Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at-breast height and species of the affected trees (if possible)</p> <p>請註明盡量減少影響的措施。如涉及砍伐樹木，請說明受影響樹木的數目、及胸高度的樹幹直徑及品種(倘可)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
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(B) Renewal of Permission for Temporary Use or Development in Rural Areas

位於鄉郊地區臨時用途/發展的許可續期

(a) Application number to which the permission relates 與許可有關的申請編號	A/ _____ / _____
(b) Date of approval 獲批給許可的日期 (DD 日/MM 月/YYYY 年)
(c) Date of expiry 許可屆滿日期 (DD 日/MM 月/YYYY 年)
(d) Approved use/development 已批給許可的用途/發展	
(e) Approval conditions 附帶條件	<p><input type="checkbox"/> The permission does not have any approval condition 許可並沒有任何附帶條件</p> <p><input type="checkbox"/> Applicant has complied with all the approval conditions 申請人已履行全部附帶條件</p> <p><input type="checkbox"/> Applicant has not yet complied with the following approval condition(s): 申請人仍未履行下列附帶條件：</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Reason(s) for non-compliance: 仍未履行的原因：</p> <p>.....</p> <p>.....</p> <p>(Please use separate sheets if the space above is insufficient) (如以上空間不足，請另頁說明)</p>
(f) Renewal period sought 要求的續期期間	<p><input type="checkbox"/> year(s) 年</p> <p><input type="checkbox"/> month(s) 個月</p>

7. Justifications 理由

The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary.
現請申請人提供申請理由及支持其申請的資料。如有需要，請另頁說明。

1. 申請地點位於綠化地帶，農業用途為經常性許可。
2. 申請地點內部份位置會種植蔬果、花卉，而魚塘位置會保留作養殖魚類，其餘位置均鋪上草坡。
3. 我們用2個每個面積約14.87平方米的貨櫃作為辦公室，2個每個面積約14.87平方米的貨櫃作為儲物室，1個下層面積約14.87平方米，上層面積約7.44平方米的貨櫃作為休息室，1個面積約14.87平方米的貨櫃作為洗...作為洗手間及更衣室，1個面積約7.44平方米的貨櫃作為更衣室，所有構築物都是臨時性質，隨時可清走。
4. 我們種植不會採用人工合成的化學肥料、化學農藥及牲口藥物，確保不會影響環境。
5. 我們將現有魚塘的污水抽走，再注入潔淨水用作重新養殖魚類。
6. 我們有專人負責場內種植或養殖，並且將某些收成的農作出售到本地商店。
7. 我們擬議一條臨時車徑，而該車徑連接快景路，而我們設有8個車位，2個私家車位給員工使用，1個輕型貨車位給予運送物資、農作物使用，其餘5個給訪客使用。
8. 我們營業時間為星期一至日上午8:30至下午7:00時。
9. 我們會開放給市民或團體或機構入內參觀，平日人數上限50人，假期人數上限80人，而且必須預約，沒有預約者一概不得進入，訪客車位亦先到先得。
10. 我們每天會清理垃圾，將垃圾包紮好再送到垃圾站。而我們場內洗手間是採環保廁所，所有污水儲存於水箱內，每星期定時由污水處理公司處理。
11. 我們定必遵從有關部門意見，確保不會影響環境及附近居民。

8. Declaration 聲明

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief.
本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in this application and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.
本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature
簽署

☐ Applicant 申請人 / ☒ Authorised Agent 獲授權代理人

Pang Hing Yeun

Name in Block Letters
姓名（請以正楷填寫）

Position (if applicable)
職位（如適用）

Professional Qualification(s) ☐ Member 會員 / ☐ Fellow of 資深會員

專業資格

☐ HKIP 香港規劃師學會 /

☐ HKIA 香港建築師學會 /

☐ HKIS 香港測量師學會 /

☐ HKIE 香港工程師學會 /

☐ HKILA 香港園境師學會 /

☐ HKIUD 香港城市設計學會

☐ RPP 註冊專業規劃師

Others 其他

on behalf of
代表

☐ Company 公司 / ☐ Organisation Name and Chop (if applicable) 機構名稱及蓋章（如適用）

Date 日期

05-11-2022 (DD/MM/YYYY 日/月/年)

Remark 備註

The materials submitted in this application and the Board's decision on the application would be disclosed to the public. Such materials would also be uploaded to the Board's website for browsing and free downloading by the public where the Board considers appropriate.

委員會會向公眾披露申請人所遞交的申請資料和委員會對申請所作的決定。在委員會認為合適的情況下，有關申請資料亦會上載至委員會網頁供公眾免費瀏覽及下載。

Warning 警告

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance.

任何人在明知或故意的情况下，就這宗申請提出在任何要項上是虛假的陳述或資料，即屬違反《刑事罪行條例》。

Statement on Personal Data 個人資料的聲明

1. The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes:

委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

- (a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and
處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及
(b) facilitating communication between the applicant and the Secretary of the Board/Government departments.
方便申請人與委員會秘書及政府部門之間進行聯絡。

2. The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.

申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。

3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
根據《個人資料(私隱)條例》(第 486 章)的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道 333 號北角政府合署 15 樓。

Gist of Application 申請摘要

(Please provide details in both English and Chinese as far as possible. This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.)
(請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及於規劃署規劃資料查詢處供一般參閱。)

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)
Location/address 位置/地址	Lot Nos. 309, 310 RP (Part), 311, 316 (Part), 322 (Part), 323 (Part), 324, 325 (Part), 330 RP (Part), 362 (Part), 363 (Part) and Adjoining Government Land in D.D. 89, Lo Wu, New Territories. 新界羅湖丈量約份第89約地段第309號, 310號餘段(部份), 311號, 316號(部份), 322號(部份), 323號(部份), 324號, 325號(部份), 330號餘段(部份), 362(部份), 363(部份)及毗鄰政府土地
Site area 地盤面積	9991.90 sq. m 平方米 <input checked="" type="checkbox"/> About 約 (includes Government land of 包括政府土地 2158.11 sq. m 平方米 <input checked="" type="checkbox"/> About 約)
Plan 圖則	S/NE-MTL/3 馬草壩分區計劃大綱圖
Zoning 地帶	Green Belt 綠化
Type of Application 申請類別	<input checked="" type="checkbox"/> Temporary Use/Development in Rural Areas for a Period of 位於鄉郊地區的臨時用途/發展為期 <input checked="" type="checkbox"/> Year(s) 年 <u>3</u> <input type="checkbox"/> Month(s) 月 _____ <input type="checkbox"/> Renewal of Planning Approval for Temporary Use/Development in Rural Areas for a Period of 位於鄉郊地區臨時用途/發展的規劃許可續期為期 <input type="checkbox"/> Year(s) 年 _____ <input type="checkbox"/> Month(s) 月 _____
Applied use/ development 申請用途/發展	Proposed Temporary Place or Recreation, Sports or Culture (Hobby Farm) for Period of 3 Years 擬議臨時康體文娛場所(休閒農莊)(為期3年)

(i) Gross floor area and/or plot ratio 總樓面面積及/或地積比率		sq.m 平方米	Plot Ratio 地積比率
	Domestic 住用	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
	Non-domestic 非住用	104.10 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
(ii) No. of block 幢數	Domestic 住用		
	Non-domestic 非住用	7	
(iii) Building height/No. of storeys 建築物高度/層數	Domestic 住用	m 米 <input type="checkbox"/> (Not more than 不多於)	
		Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於)	
	Non-domestic 非住用	5.5 m 米 <input checked="" type="checkbox"/> (Not more than 不多於)	
		2 Storeys(s) 層 <input checked="" type="checkbox"/> (Not more than 不多於)	
(iv) Site coverage 上蓋面積	0.97 % <input checked="" type="checkbox"/> About 約		
(v) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數 Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明) <hr/>		8個 7個 (5m x 2.5m) 1個 (5m x 2.5m)
	Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位/停車處總數 Taxi Spaces 的士車位 Couch Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明) <hr/>		

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件		
	Chinese 中文	English 英文
Plans and Drawings 圖則及繪圖		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖/布局設計圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖/園境設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Location Plan, Access Plan		
Reports 報告書		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估 (噪音、空氣及/或水的污染)	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input type="checkbox"/>
Note: May insert more than one '✓'. 註：可在多於一個方格內加上「✓」號		

Note: The information in the Gist of Application above is provided by the applicant for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

註：上述申請摘要的資料是由申請人提供以方便市民大眾參考。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

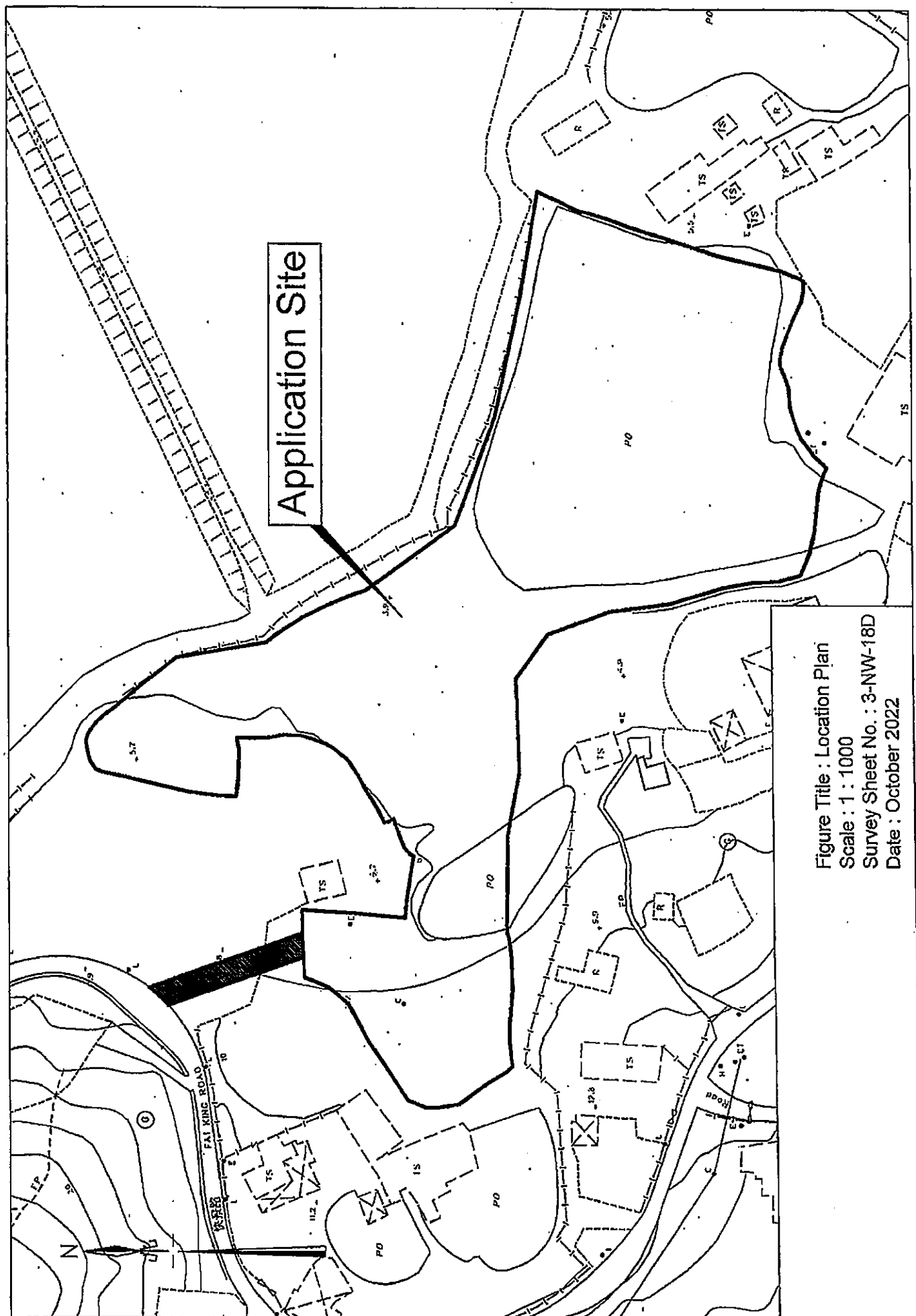
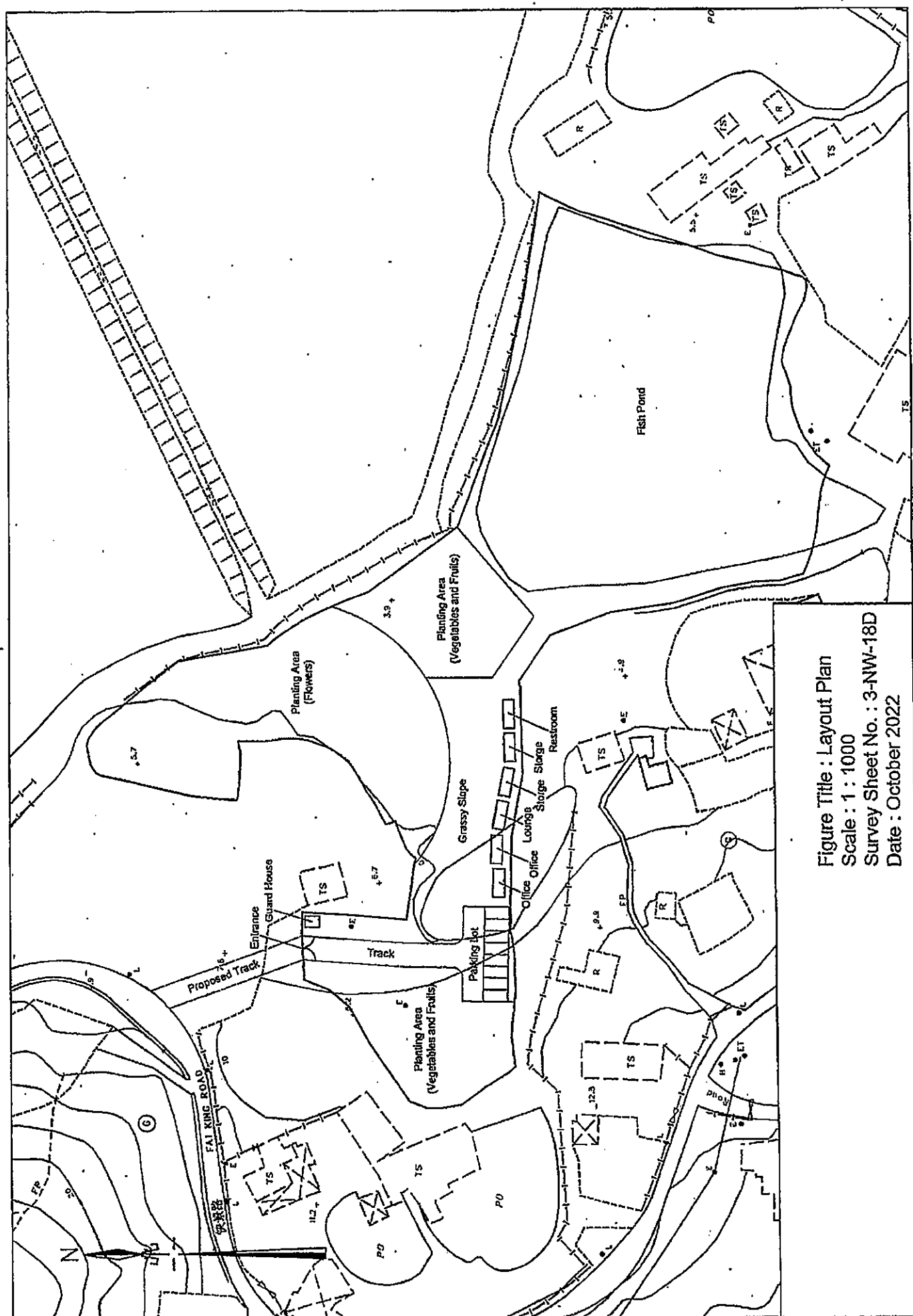
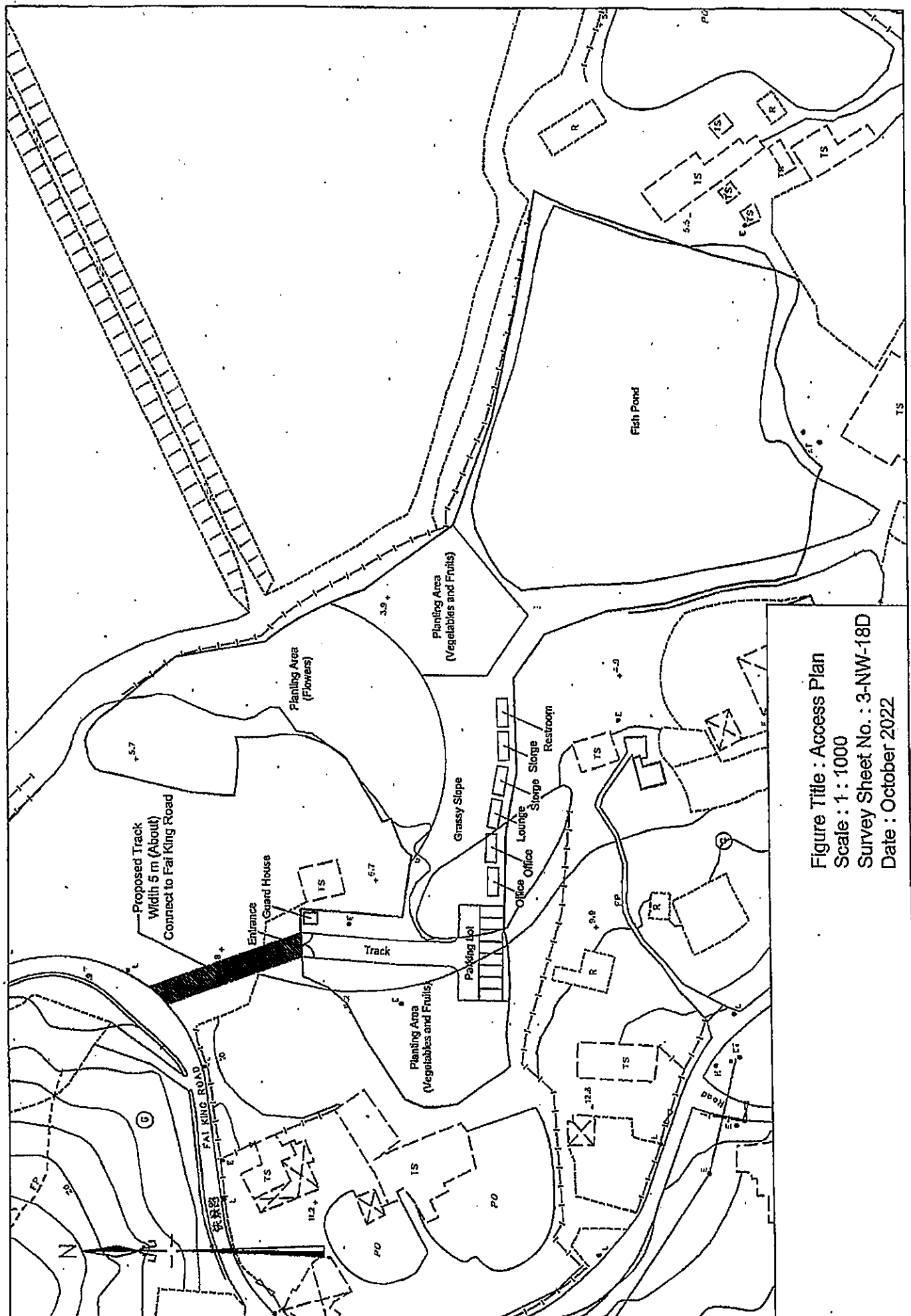


Figure Title : Location Plan
Scale : 1 : 1000
Survey Sheet No. : 3-NW-18D
Date : October 2022



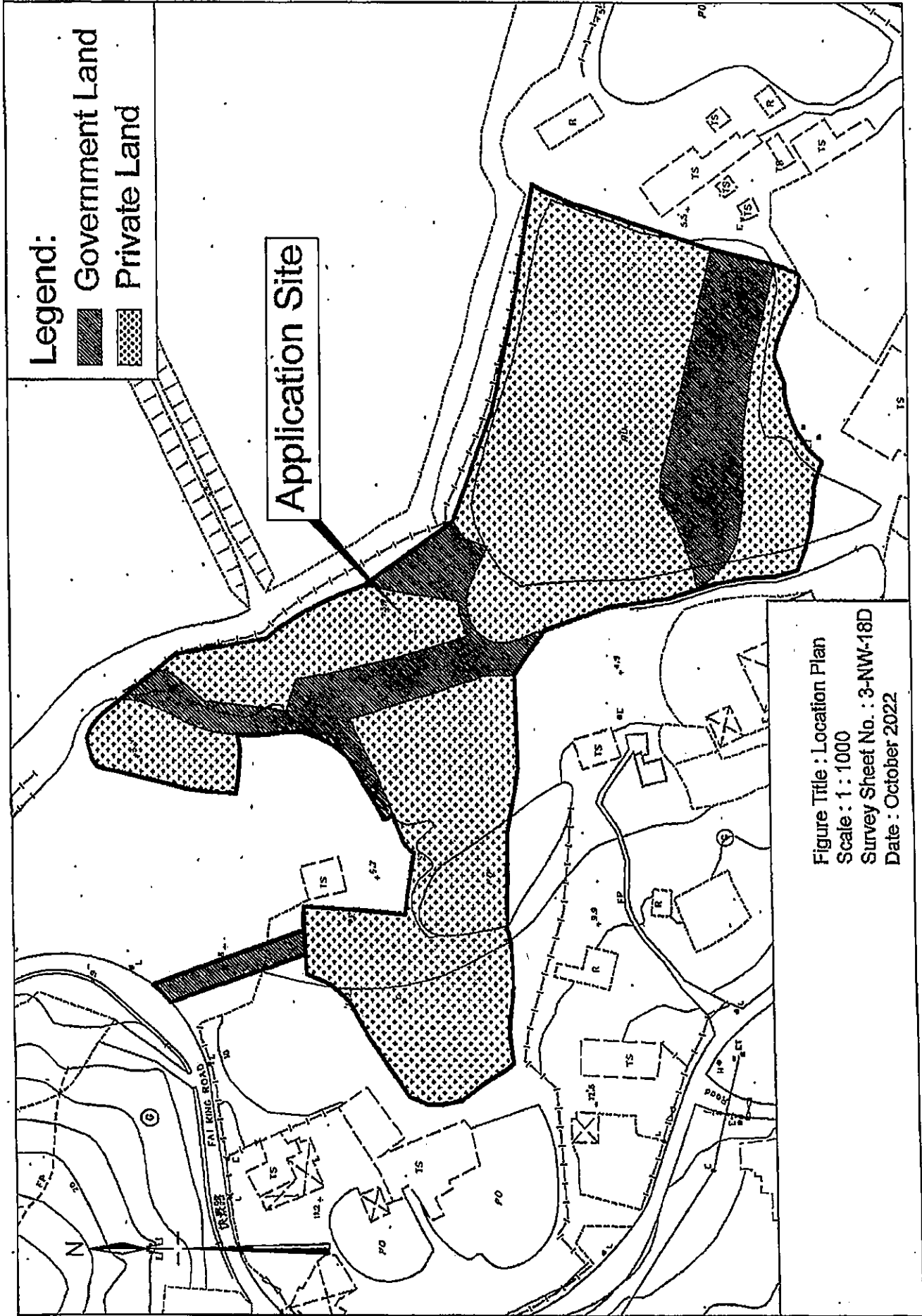


7. Justifications 理由

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5. 我們將現有魚塘的污水抽走，再注入潔淨水用作重新養殖魚類。
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7. 我們擬議一條臨時車徑，而該車徑連接快景路，而我們設有8個車位，2個私家車位給員工使用，1個輕型...貨車位給予運送物資、農作物使用，其餘5個給訪客使用。
8. 我們營業時間為星期一至日及公眾假期上午8:30至下午7:00時。
9. 我們會開放給市民或團體或機構入內參觀，平日人數上限50人，假期人數上限80人，而且必須預約，沒有...預約者一概不得進入，訪客車位亦先到先得。
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11. 我們定必遵從有關部門意見，確保不會影響環境及附近居民。

(i) Gross floor area and/or plot ratio 總樓面面積及／或地積比率	Domestic 住用	sq.m 平方米 <input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	Plot Ratio 地積比率 <input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
	Non-domestic 非住用	104.10 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
(ii) No. of block 幢數	Domestic 住用		
	Non-domestic 非住用	7	
(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	m 米 <input type="checkbox"/> (Not more than 不多於)	
		Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於)	
	Non-domestic 非住用	5.24 m 米 <input checked="" type="checkbox"/> (Not more than 不多於)	
		2 Storeys(s) 層 <input checked="" type="checkbox"/> (Not more than 不多於)	
(iv) Site coverage 上蓋面積	0.97 % <input checked="" type="checkbox"/> About 約		
(v) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數 Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明) _____ _____		8個 7個 (5m x 2.5m) 1個 (5m x 2.5m)
	Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位／停車處總數 Taxi Spaces 的士車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明) _____ _____		



For Official Use Only 請勿填寫此欄	Application No. 申請編號	
	Date Received 收到日期	

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申請人須把填妥的申請表格及其他支持申請的文件(倘有),送交香港北角渣華道333號北角政府合署15樓城市規劃委員會(下稱「委員會」)秘書收。
- Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <http://www.info.gov.hk/tpb/>. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).
請先細閱《申請須知》的資料單張,然後填寫此表格。該份文件可從委員會的網頁下載(網址:<http://www.info.gov.hk/tpb/>),亦可向委員會秘書處(香港北角渣華道333號北角政府合署15樓-電話:2231 4810或2231 4835)及規劃署的規劃資料查詢處(熱線:2231 5000)(香港北角渣華道333號北角政府合署17樓及新界沙田上禾輦路1號沙田政府合署14樓)索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.
此表格可從委員會的網頁下載,亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全,委員會可拒絕處理有關申請。

1. Name of Applicant 申請人姓名/名稱

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☒ Company 公司 / ☐ Organisation 機構)

Brother Inter Limited 兄弟國際有限公司

2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)

(☒ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☐ Company 公司 / ☐ Organisation 機構)

Pang Hing Yeun 彭慶餘

3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼(如適用)	Lot Nos. 309, 310 RP (Part), 311, 316 (Part), 322 (Part), 323 (Part), 324, 325 (Part), 330 RP (Part), 362 (Part), 363 (Part) and Adjoining Government Land in D.D. 89, Lo Wu, New Territories. 新界羅湖丈量約份第89約地段第309號, 310號餘段(部份), 311號, 316號(部份), 322號(部份), 323號(部份), 324號, 325號(部份), 330號餘段(部份), 362(部份), 363(部份)及毗鄰政府土地
(b) Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面積	<input checked="" type="checkbox"/> Site area 地盤面積 9991.90 sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 104.10 sq.m 平方米 <input checked="" type="checkbox"/> About 約
(c) Area of Government land included (if any) 所包括的政府土地面積(倘有) 1997 sq.m 平方米 <input checked="" type="checkbox"/> About 約

Gist of Application 申請摘要	
(Please provide details in both English and Chinese <u>as far as possible</u> . This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.) (請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及於規劃署規劃資料查詢處供一般參閱。)	
Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)
Location/address 位置/地址	Lot Nos. 309, 310 RP (Part), 311, 316 (Part), 322 (Part), 323 (Part), 324, 325 (Part), 330 RP (Part), 362 (Part), 363 (Part) and Adjoining Government Land in D.D. 89, Lo Wu, New Territories. 新界羅湖丈量約份第89約地段第309號, 310號餘段(部份), 311號, 316號(部份), 322號(部份), 323號(部份), 324號, 325號(部份), 330號餘段(部份), 362(部份), 363(部份)及毗鄰政府土地
Site area 地盤面積	9991.90 sq. m 平方米 □ About 約 (includes Government land of 包括政府土地 1997 sq. m 平方米 □ About 約)
Plan 圖則	S/NE-MTL/3 馬草壩分區計劃大綱圖
Zoning 地帶	Green Belt 綠化
Type of Application 申請類別	<input checked="" type="checkbox"/> Temporary Use/Development in Rural Areas for a Period of 位於鄉郊地區的臨時用途/發展為期 <input checked="" type="checkbox"/> Year(s) 年 <u>3</u> <input type="checkbox"/> Month(s) 月 _____ <input type="checkbox"/> Renewal of Planning Approval for Temporary Use/Development in Rural Areas for a Period of 位於鄉郊地區臨時用途/發展的規劃許可續期為期 <input type="checkbox"/> Year(s) 年 _____ <input type="checkbox"/> Month(s) 月 _____
Applied use/ development 申請用途/發展	Proposed Temporary Place or Recreation, Sports or Culture (Hobby Farm) for Period of 3 Years 擬議臨時康體文娛場所(休閒農莊)(為期3年)

**Relevant Extracts of Town Planning Board Guidelines No. 10
for “Application for Development within Green Belt Zone
under Section 16 of the Town Planning Ordinance”
(TPB PG-No. 10)**

The relevant assessment criteria for assessing applications include:

- (a) there is a general presumption against development (other than redevelopment) in a “GB” zone;
- (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;
- (c) 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;
- (d) 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;
- (e) 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;
- (f) the proposed development must comply with the development controls and restrictions of areas designated as water gathering grounds;
- (g) the proposed development should not overstrain the overall provision of Government, institution and community facilities in the general area; and
- (h) 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.

Previous S.16 Application

Rejected Application

Application No.	Uses/ Development	Date of Consideration	Rejection Reasons
A/NE-MTL/8	Proposed Temporary Holiday Camp, Pets Park and Ancillary Facilities for a Period of 3 Years with Filling of Pond and Land	12.8.2022	R1,R2

Rejection Reasons:

- R1. The proposed development was not in line with the planning intention of the “Green Belt” (“GB”) zone which was primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There was a general presumption against development within this zone. There was no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis.
- R2. The proposed development was not in line with the Town Planning Board Guidelines No. 10 for ‘Application for Development within the “GB” zone under Section 16 of the Town Planning Ordinance’ in that the applicant failed to demonstrate in the submission that the proposed development would not affect the existing natural landscape and caused adverse environmental, traffic and nature conservation impacts on the surrounding areas.

Government Departments' General Comments

1. Land Administration

Comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD):

- 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. No right of access via Government land (GL) is granted to the Site;
- no consent is given for occupation of GL (about 1,997m² subject to verification) included in the Site. The adjoining GL has been fenced off without any permission. Any occupation of GL without Government's prior approval is an offence. The lot owner(s)/the applicant should immediately cease any occupation of GL and this office reserves the rights to take necessary land control action against the illegal occupation of GL without separate notice;
- there is also unauthorized structure erected on Lot No. 316 in D.D. 89. The lot owner should immediately rectify the lease breaches and this office reserves the rights to take necessary lease enforcement action against the lease breaches without separate notice; and
- should planning approval for the part on private lots be given, the lot owner(s) of the lots will need to apply to this office for a Short Term Waiver to permit the structures erected/to be erected and regularize the irregularities on the lots concerned. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structures will be considered. The application will be considered by the LandsD acting in the capacity of the lessor and landlord at its sole discretion and there is no guarantee that such application will be approved. If such application is approved, it will be subject to such terms and conditions, including among others the payments of fee/rent and administrative fee, as may be imposed by the LandsD.

2. Drainage

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

- no objection to the application from public drainage viewpoint; and
- should the application be approved, approval conditions on (i) the submission of a Drainage Impact Assessment (DIA) including flood relief mitigation measures; (ii) the implementation of the drainage proposal and other necessary flood relief mitigation measures identified in the DIA; and (iii) the implemented drainage facilities and flood mitigation measures should be maintained at all times during the planning approval period.

3. **Fire Safety**

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

- no in-principle objection to the application subject to fire service installations (FSIs) being provided to the satisfaction of his department.

4. **Building Matters**

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

- there is no record of approval by the Building Authority for the buildings/structures existing at the Site and BD is not in a position to offer comments on their suitability for the use related to the application.

5. **Environment**

Comments of the Director of Environmental Protection (DEP):

- no objection to the application from environmental planning perspective provided that the applicant would minimize any environmental nuisance to the surrounding areas;
- having considered that the Site is close to Ho Sheung Heung Egrettry, approval condition on no use of loudspeaker, public announcement system, portable loudspeaker or any form of audio amplification system at the Site should be imposed; and
- no environmental complaint concerning the Site has been received in the past three years.

6. **Agriculture and Nature Conservation**

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

- no comment on the application from agricultural point of view as it is noted that the Site is the subject of a previous planning application (No. A/NE-MTL/8) and pond filling is not involved under the current application as well as majority of the Site will be used for planting area and fish pond; and
- no comment on the application from nature conservation point of view.

7. **District Officer's Comments**

Local Views/comments conveyed by the District Officer (North), Home Affairs Department (DO(N), HAD):

- while an indigenous representative (IIR) of Liu Pok indicates no comment on the application, he reminded that the proposed development should not induce adverse traffic impact to the surrounding areas; and

- other consultees, including the Chairman of Sheung Shui District Rural Committee, the incumbent North District Councilor of N11 Constituency, the IIR and the Resident Representative (RR) of Ho Sheung Heung, the IIR and the RR of Liu Pok and the Chairman of Fung Shui Area Committee, have no comment on the application.

8. Other Departments

- the following government departments have no comment on/no objection to the application:
 - (i) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
 - (ii) Project Manager (North), North Development Office, Civil Engineering and Development Department (PM(N), CEDD);
 - (iii) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
 - (iv) Commissioner of Police (C for P);
 - (v) Director of Food and Environmental Hygiene (DFEH).

Recommended Advisory Clauses

- (a) to note the following comments of the District Lands Officer/North, Lands Department that:
- (i) no right of access via Government land (GL) is granted to the Site;
 - (ii) any occupation of GL without Government's prior approval is an offence. The lot owner(s)/the applicant should immediately cease any occupation of GL and this office reserves the rights to take necessary land control action against the illegal occupation of GL without separate notice;
 - (iii) there is unauthorized structure erected on Lot No. 316 in D.D. 89. The lot owner should immediately rectify the lease breaches and this office reserves the rights to take necessary lease enforcement action against the lease breaches without separate notice;
 - (iv) should planning approval for the part on private lots be given, the lot owner(s) of the lots will need to apply to this office for a Short Term Waiver to permit the structures erected/to be erected and regularize the irregularities on the lots concerned. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structures will be considered. The application will be considered by the LandsD acting in the capacity of the lessor and landlord at its sole discretion and there is no guarantee that such application will be approved. If such application is approved, it will be subject to such terms and conditions, including among others the payments of fee/rent and administrative fee, as may be imposed by the LandsD.
- (b) to note the comments of the Commissioner for Transport (C for T) that the existing Fai King Road/Ho Sheung Heung Road between the Site and Ho Sheung Heung Road (section beyond the Lo Wu Correctional Institution) is not under TD's management. The applicant should check the land status of the access with the lands authority, and clarify its management and maintenance responsibilities with the relevant lands and maintenance authorities accordingly;
- (c) to note the comments of the Chief Highway Engineer/ New Territories East, Highways Department (CHE/NTE, HyD) that the existing road leading from Ho Sheung Heung Road near Lo Wu Correctional Institution to the Site is not under HyD's maintenance purview;
- (d) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L of PlanD) that the approval of the application does not imply approval of tree works such as pruning, transplanting and felling under lease. The applicant should seek approval for any proposed tree works from relevant departments prior to commencement of the works;
- (e) to note the following comments of the Chief Engineer/Mainland North, Drainage Services Department that:
- (i) the Site is in an area where no public sewer connection is available;
 - (ii) the applicant is advised on the following general requirements of 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 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 Government Land when so required;

- 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;
- the flood mitigation measures shall be clearly delineated from the internal drainage of the proposed development;

(f) to note the following comments of the Chief Building Surveyor/New Territories West, Buildings Department that:

- (i) if the existing structures are erected on leased land without approval of the Buildings Department (BD) (not being a New Territories Exempted House), they are unauthorised under the Buildings Ordinance (BO) and should not be designated for any proposed use under the captioned application;
- (ii) before any new building works are to be carried out on the Site, the prior approval and consent of the Building Authority (BA) should be obtained unless they are exempted building works or commenced under the simplified requirement under the Minor Works Control System. Otherwise they are unauthorized buildings works (UBW). An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO;
- (iii) for UBW erected on leased land, enforcement action may be taken by the BA to effect their removal in accordance with BD's 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;
- (iv) if the proposed use under application is subject to issue of a licence, any existing structures on the Site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licencing authority;
- (v) any temporary shelters or converted containers for storage or office, canteen or other uses are considered as temporary buildings that are subject to the control of the Building (Planning) Regulations (B(P)R) Pt. VII;
- (vi) the Site shall be provided with means of obtaining access thereto from a street under the BPR 5 and emergency vehicular access shall be provided under B(P)R 41D;
- (vii) if the Site is not abutting on a specified street having a width not less than 4.5m, the development intensity shall be determined by the BA under B(P)R 19(3) at building plan submission stage;
- (viii) 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 the Building (Planning) Regulation 72 and Division 3 of Design Manual: Barrier Free Access 2008;

- (ix) it is noted that portable toilets are to be provided for the proposed development. The applicant's attention is drawn to the provisions of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations;
 - (x) formal submission under the BO is required for any proposed new works, including any temporary structures and site formation like filling of ponds and land and site formation drainage works. Detailed comments under BO on individual site will be provided at the building plan submission stage;
- (g) to note the following comments of the Director of Fire Services that:
- (i) in consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to FSD for approval. In addition, the applicant should also be advised on the following points:
 - the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy;
 - the location of where the proposed FSI to be installed should be clearly marked on the layout plans;
 - (ii) the applicant is reminded that if the proposed structure(s) is required to comply with the BO (Cap. 123), detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans;
- (h) to note the following comments of the Director of Food and Environmental Hygiene (DFEH) that:
- (i) no FEHD's facilities will be affected;
 - (ii) proper licence/ permit issued by this Department is required if there is any food business/ catering service/ activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public. Under the Food Business Regulation Cap. 132X, a food business licence is required for the operation of the relevant type of food business listed in the Regulation (e.g. a restaurant, a refreshment kiosk, etc.). In case that the farm products which will be sold at the Site are vegetables and fruits only, the fresh provision shop licence is not required. Fresh Provision Shop Licence in case of sale of fresh, chilled or frozen beef, mutton, pork, reptiles (including live reptiles), fish (including live fish) or poultry (including live poultry) (including wholesale and retail) is involved. The application for licence, if acceptable by the DFEH, will be referred to relevant government departments such as BD, FSD and PlanD for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance and the licence will be issued upon compliance of all the requirements;
 - (iii) proper licence issued by this Department is required if related place of entertainment is involved. Any person who desires to keep or use any place of public entertainment for example a theatre and cinema or a place, building, erection or structure, whether temporary or permanent, on one occasion or more, capable of accommodating the

public presenting or carrying on public entertainment within Places of Public entertainment (PPE) Ordinance (Cap. 172) and its subsidiary legislation, such as a concert, opera, ballet, stage performance or other musical, dramatic or theatrical entertainment, cinematograph or laser projection display or an amusement ride and mechanical device which is designed for amusement, a Place of Public Entertainment Licence (or Temporary Place of Public Entertainment Licence) should be obtained from FEHD whatever the general public is admitted with or without payment;

- (iv) there should be no encroachment on the public place and no environmental nuisance should be generated to the surroundings. Its state not be a nuisance or injurious or dangerous to health and surrounding environment. Also for any waste generated from such activities/ operation, the applicant should arrange disposal properly at their own expenses; and
- (i) to note the comments of the Director of Environmental Protection (DEP) that waste water generated from portable toilets should be properly stored in sewerage tank and collected by contractor regularly as proposed by the applicant. The applicant shall follow the relevant mitigation measures and requirements in the "Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites" to minimize any potential environmental nuisance, and observe Water Pollution Control Ordinance in view of the area zoned "Conservation Area" on the Outline Zoning Plan and Ng Tung River in the vicinity of the Site.

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

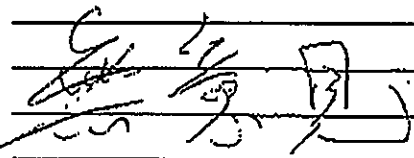
By Fax : 2877 0245 or 2522 8426

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-MTL/10

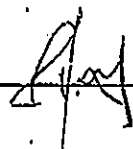
意見詳情 (如有需要，請另頁說明)

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

簽署 Signature



日期 Date 2023.1.27

2

☐ Urgent ☐ Return Receipt Requested ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&publi



反對規劃意見
20/01/2023 18:02

From:

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

Sent by:

File Ref:

至城規會：

本人對規劃申請編號（A/NE-MTL/10）提出反對意見。

對於申請規劃圖範圍本是農用地。大面積的土木工程，會嚴重的影響周邊以及百米距離之差的濕地公園生態環境之平衡。以及規劃圖里毫無提及到污水排放問題。及生活垃圾問題的處理。

其次就是就當地本屬羅湖邊境之禁區範圍。幾年前才開放。大量的單車友，行山人士。本土居民大多數是選擇踩單車或不行至港鐵羅湖站翻工翻學。這份規劃土地之車輛出入馬路祇有4.5米寬。如何能容納大量遊客玩燒烤？露營？寵物公園？小朋友踩單車翻學翻屋企危險大量增加而且！最重點的是對於我本人來說簡直就是噩夢。無法想像。圖紙範圍離我家祇有幾米距離！一個村莊生活區怎能容許私人胡作非為？！

懇請城規會實地考察。拒絕其申請！

而且，城規會發出的對大眾通告，早已被業主當天取下。很多人不知情！

而且！該規劃申請在數月前已被無數居民和行山人士，踩單車打卡人士反對中取消！上次規劃申請編號分別為A/NE-MTL/4（和第二次的8）

所以，好多村民懷疑市鍵局內部是否有人收受賄賂？需要icac介入？如該規劃通過，東張西望。

快景路居民

icac

電話：

3

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**參考編號****Reference Number:**

230127-161407-69680

提交限期**Deadline for submission:**

10/02/2023

提交日期及時間**Date and time of submission:**

27/01/2023 16:14:07

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

A/NE-MTL/10

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

小姐 Miss Wong

意見詳情**Details of the Comment :**

我在上述地方住了超過50年以上,現在和袁氏預備排緊期打逆權侵佔,不明白袁氏申請規劃土地用途,如果被他申請許可好多在上址村民要喇街。請規劃考慮,所有村民不贊成見意。他是地主我地是業主在情在理,我地絕對反對這地方見所有去想法嘅用途。謝謝規劃處多加考慮。

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提出反對申請編號 A /NE-MTL/10

30/01/2023 10:37

From: .

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

File Ref:

致城市規劃委員會

本人是村民現在提出反對申請編號 A /NE-MTL/10 興建休閒農莊，破壞大自然，及破壞鳥隻居住環境，所以現在提出反對。

村民上

吳偉文

聯絡電話

My e mail :

Date : 30 Jan 2023

5

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主題反對申請編號 A/NE-MTL/10

30/01/2023 17:01

From:

To:

tpbpd@pland.gov.hk

File Ref:

致城市規劃委員會

本人是村民現在提出反對申請編號 A /NE-MTL/10 興建休閒農莊，破壞大自然，及破壞鳥隻居住環境，所以現在提出反對。

村民上
吳詠儀

聯絡電話

My email :

Date : 30 Jan 2023

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反對規劃申請(申請編號是A/NE-MTL/10)
01/02/2023 15:31

From:

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

File Ref:

Please respond to LeeTak Keung

(反對規劃申請)

給城市規劃委員會:

本人李先生是行山人士，現在提出反對規劃申請，申請編號是A/NE-MTL/10，因改變地方用途會破壞大自然生態同美好環境，同太過商業化，只為求金錢，所以現在我提出反對通知信給城市規劃委員會。

行山人士李先生
聯絡電話

傳送自 Android 上的 Yahoo Mail

7

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反對申請編號 A/NE-MTL/10

03/02/2023 16:36

From:

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

File Ref:

致城市規劃委員會

本人是村民現在提出反對申請編號 A /NE-MTL/10 興建休閒農莊，破壞大自然，及破壞鳥隻居住環境，所以現在提出反對。

村民上

Name : 楊秀麗

聯絡電話:

My e mail :

Date : 3/2/2023

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A/NE-MTL/10 DD 89 Lo Wu GB

06/02/2023 03:48

From:

To:

tpbpd <tpbpd@pland.gov.hk>

File Ref:

A/NE-MTL/10

Lot 309, 310 RP (Part), 311, 316 (Part), 322 (Part), 323 (Part), 324, 325 (Part), 330 RP (Part), 362 (Part), 363 (Part) in D.D. 89 and Adjoining Government Land, Lo Wu

Site area : About 9,991.9sq.m Includes Government Land of about 1,997sq.m

Zoning "Green Belt"

Applied use: Hobby Farm / 8 Vehicle Parking

Dear TPB Members,

Strong objections, there is clearly an intention to trash GB,

Application 4 withdrawn and replaced with A/NE-TL/8

REJECTED 12/8/22

The Site is covered with grass and cluster of tree groups. **Two existing ponds** are found in the northern and south-eastern parts of the Site

the Site is close to water sensitive receivers, including the adjacent area zoned "CA", Ho Sheung Heung Egretty and Ng Tung River

Nature Conservation

- there are two ponds located within the Site, and the remaining portion of the Site is covered with common trees, aquatic and herbaceous plants. In this regard, he has reservation on the application from nature conservation point of view as the loss of wetland/pond is not desirable.

Fish Culture - does not support the application from fish culture point of view as the application involves filling of fish pond that is engaged in pond fish culture.

The new application is very short on detail with regard to the ponds, there is only one shown on the plan. No mention of what it would be used for. No data with regard to amount of land to be filled, tree felling, etc. The site includes almost

2,000sq.m of government land.

Previous objections relevant and upheld.

Mary Mulvihill

From:

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

Date: Thursday, 2 December 2021 1:47 AM CST

Subject: A/NE-MTL/4 DD 89 Lo Wu GB TENT CITY

A/NE-MTL/4

Lots 309 (Part), 310 RP (Part), 311 (Part), 316 (Part), 322 (Part), 323 (Part), 324 (Part), 325 (Part), 330 RP (Part), 362 (Part), 363 (Part) in D.D. 89 and Adjoining Government Land, Lo Wu

Site area : About 9,997.6sq.m Includes Government Land of about 2,116.02sq.m

Zoning "Green Belt"

Applied use " Camp Site / Pets Park / 23 Vehicle Parking /Filling of Pond and Land

Dear TPB Members,

Strong objections.

So its out with solar panel farms, animal boarding, hobby farm and in with the 'new kid on the block' initiative to exploit our precious farm land, TENTS

No information provided re **how many tents**. There is no data on the capacity of the portable toilets and how they would be serviced. Then there is the issue of the gray water from showers and catering to be discharged into the ponds? How about water supplies, drainage, etc?

What expertise does applicant have with regard to the management of temporary accommodation?

The location is between fish ponds and the Ho Sheung Heung Egrettry.
According to EPD

Ho Sheung Heung Egrettry is utilised by Chinese Pond Herons, Eastern

Cattle Egrets and Little Egrets. In 2007, this was the largest egretty present in Hong Kong, with a total of 119 nests, however it has declined in importance since then, primarily because of a decline in the number of nesting Chinese Pond Herons

The number would be further depleted is hordes of noisy revelers are allowed to disturb the peaceful ambience.

The applicant seeks planning permission to use the application site (the Site) for proposed temporary place of recreation, sports or culture (camp site, pets park, supporting facilities and subsidiary parking lots) for a period of 3 years with filling of pond and land. The site area is about 9,997.6m² (including 2,116.02m² of government land), to be occupied by 27 1-to 2-storey structures with building height not exceeding 5.24m for office, storage, lounge, washroom, guard house and portable toilet uses. The total floor area of the proposed structures will be about 137.93m². The filling of pond will involve an area of about 3,800m² with a depth of about 1.8m. Besides, the filling of land will involve an area of about 1,045m² with a depth of about 0.3m.

Plans to fill ponds in an ecological sensitive area adjacent to Conservation Area are shocking. 2,000+sq.ms is government land. No information with regard to how many trees would be felled and flora and fauna ejected.

Members must make it clear to applicants that our natural environment cannot be exploited for their temporary financial gain.

Mary Mulvihill

9.

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KFBG's comments on two planning applications

08/02/2023 15:46

From: EAP KFBG <eap@kfbg.org>
To: "tpbpd@pland.gov.hk" <tpbpd@pland.gov.hk>
File Ref:

2 attachments



230208 s16 CWBN 71.pdf 230208 s16 MTL 10.pdf

Dear Sir/ Madam,

Attached please see our comments regarding two applications. There are two pdf files attached to this email. If you cannot see/ download/ open these files, please notify us through email.

Thank You and Best Regards,

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden

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嘉道理農場暨植物園公司
Kadoorie Farm & Botanic Garden Corporation

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

8th February, 2023.

By email only

Dear Sir/ Madam,

Proposed Temporary Place for Recreational, Sports or Culture (Hobby Farm)
for a Period of 3 Years
(A/NE-MTL/10)

1. We refer to the captioned.
2. There are two previous applications covering the application site; one was withdrawn (i.e., A/NE-MTL/4; Proposed Temporary Place of Recreation, Sports or Culture (Camp Site, Pets Park, Supporting Facilities and Subsidiary Parking Lots) for a Period of 3 Years with Filling of Pond and Land) and one was rejected (i.e., A/NE-MTL/8; Proposed Temporary Holiday Camp, Pets Park and Ancillary Facilities for a Period of 3 Years with Filling of Pond and Land). The reasons for rejection are reproduced below:

(a) the proposed development is not in line with the planning intention of the "Green Belt" ("GB") zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis; and

(b) the proposed development is not in line with the Town Planning Board Guidelines No. 10 for 'Application for Development within the "GB" zone under Section 16 of the Town Planning Ordinance' in that the applicant fails to demonstrate in the submission that the proposed development would not affect the existing natural landscape and cause



嘉道理農場暨植物園公司
Kadoorie Farm & Botanic Garden Corporation

adverse environmental, traffic and nature conservation impacts on the surrounding areas.

3. In the two previous applications, we could see that the sites were extended to Fai King Road; however, the present site is not. But in the figures shown in the gist of the current application, a 'Proposed Track (width 5m (about))' which is claimed to be on Government Land, would be connecting the entrance of the site with Fai King Road. We would like the Board to investigate with relevant authorities as to whether such a proposal is allowed/feasible, and consider whether the 'Proposed Track' also needs to be included into the current application site. We urge the Board to seriously consider the implication of allowing the current proposal (i.e., the 'Proposed Track' connecting with the site is not within the application site).
4. We object to this application as the proposed use is unlikely to be in line with the planning intention of GB zone and we urge the Board to reject it.
5. Thank you for your attention.

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden

10

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HKBWS's comments on the planning application for the proposed Temporary Place for Recreational, Sports or Culture (Hobby Farm) for a Period of 3 Years at Lo Wu, New Territories (A/NE-MTL/10)
10/02/2023 13:27

From:

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

Cc:

File Ref:

Dear Sir/Madam,

The Hong Kong Bird Watching Society's comments on the planning application for the proposed Temporary Place for Recreational, Sports or Culture (Hobby Farm) for a Period of 3 Years at Lo Wu, New Territories (A/NE-MTL/10) is attached.

Thank you.

Best Regards,

Wong Suet Mei | 黃雪媚

Conservation Officer | 保育主任

The Hong Kong Bird Watching Society | 香港觀鳥會

PDF



20230210_LoWu_HobbyFarm_A_NE_MTL_10_HKBWS.pdf

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

By email only

10 February 2023

Dear Sir/Madam,

**Comments on the planning application for the proposed Temporary Place for
Recreational, Sports or Culture (Hobby Farm) for a Period of 3 Years at Lo Wu, New
Territories (A/NE-MTL/10)**

The Hong Kong Bird Watching Society (HKBWS) objects to the planning application based on the following reasons.

- 1 **Not in line with the planning intention of the "Green Belt" (GB) zoning**
The application site is located on GB zone, where is intended "to define the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone." The Google Earth aerial photograph in February 2021 reveals that there was well-vegetated land and ponds within the application site and is performing the function to define the limit of sub-urban development (Figure 1). However, we consider the proposed Camp Site, office, storage, lounge, washroom, changing room and the associated pond filling would lead to loss in wetland and are not in line with the planning intention of GB to retain natural features. Therefore, we urge the Town Planning Board (Board) to reject this application.
- 2 **Potential impacts on sensitive ecology and the Ho Sheung Heung Egretty**
 - 2.1 The proposed site is included in the "Inner Deep Bay and Shenzhen River catchment" Important Bird Area, which is recognized by the BirdLife

International¹. The wetlands and natural features within the application site are also potential foraging ground for migratory birds.

- 2.2 Moreover, Ho Sheung Heung egretty is one of the two egretties that have been actively used by Eastern Cattle Egret (*Bubulcus coromandus*) in Hong Kong recently². A latest report published by HKBWS suggests that the breeding population of Eastern Cattle Egret was found dropped by two-thirds in the past 10 years, likely due to the loss in farmland and wetland habitats caused by development pressure³. The potential impacts (i.e. wetland loss, diversion of river, noise, sewage, light and human disturbance) from the proposed recreation development and the associated pond and land filling should be carefully identified and avoided.
- 2.3 Given that breeding ardeids could fly as far as 4km from the nest to the access their feeding grounds, in order to safeguard these breeding egrets and herons, the nesting locations together with feeding grounds and flight paths of the birds should all be protected. However, the application site is located just about 250 m away from the egretty. We are concerned the proposed recreation development would potentially deteriorate the habitat quality of their feeding grounds and adversely affect the breeding birds and their breeding success.
- 2.4 In order to avoid the potential adverse impacts on both migratory and breeding birds and also their habitats, we urge the Board to reject this application.

3 The Town Planning Board should not encourage “destroy first, build later”

From Google Earth aerial photographs, landscape changes including vegetation clearance and land filling were seen at the application site in 2021 (Figure 1). We consider that this is “destroy first, build later”. We are concerned the approval of

¹ <http://datazone.birdlife.org/country/hong-kong-china/ibas>

² Anon, 2021. Summer 2020 Report: Egretty Counts in Hong Kong with particular reference to the Mai Po Inner Deep Bay Ramsar Site. Report by The Hong Kong Bird Watching Society to the Agriculture, Fisheries and Conservation Department, Hong Kong Special Administrative Region Government.

³ Hong Kong Biodiversity and Conservation 10-year Review against the Convention on Biological Diversity. Available at: https://cms.hkbws.org.hk/cms/phocadownload/submissions/HKBiodiversity_10yr_Review_en.pdf

the current application would further legitimize the current misuse of the GB zone, leading to the promotion of "destroy first, develop later" attitudes among landowners in the locality. As the Board has suggested that *"the Board will not tolerate any deliberate action to destroy the rural and natural environment in the hope that the Board would give sympathetic consideration to subsequent development on the site concerned."*⁴ We urge the Board to reject this application.

4 Set an undesirable precedent to the future development

The approval of this application will set an undesirable precedent to the future similar applications within the GB zone, and thus nullifying the statutory planning control mechanism. We urge the Board to reject this application in order to protect GB zone and the existing wetlands from any development threats.

5 Justifications for the decision and comments made by Government departments and the Board

According to the Hong Kong Planning Standards and Guidelines (HKPSG), Chapter 10, Section 2.1 (ii), the Board has the responsibility to, *"restrict uses within conservation zones to those which sustain particular landscapes, ecological and geological attributes and heritage features"*. We note that all other Government bureaux/departments are also bound to the HKPSG, and the Agriculture, Fisheries and Conservation Department (AFCD) and the Planning Department (PlanD) have the responsibility to advise the Board on the ecological⁵ and planning aspects in particular. Given AFCD's mission to conserve natural environment and safeguard the ecological integrity⁶, and the proposed development is not in line with the planning intention of the statutory zoning, HKBWS would also expect AFCD and PlanD to object to this application. Should AFCD, PlanD or the Board feels otherwise, we urge that the appropriate justifications are provided.

⁴ TPB Press Release. Available at:
<http://www.info.gov.hk/gia/general/201107/04/P201107040255.htm>

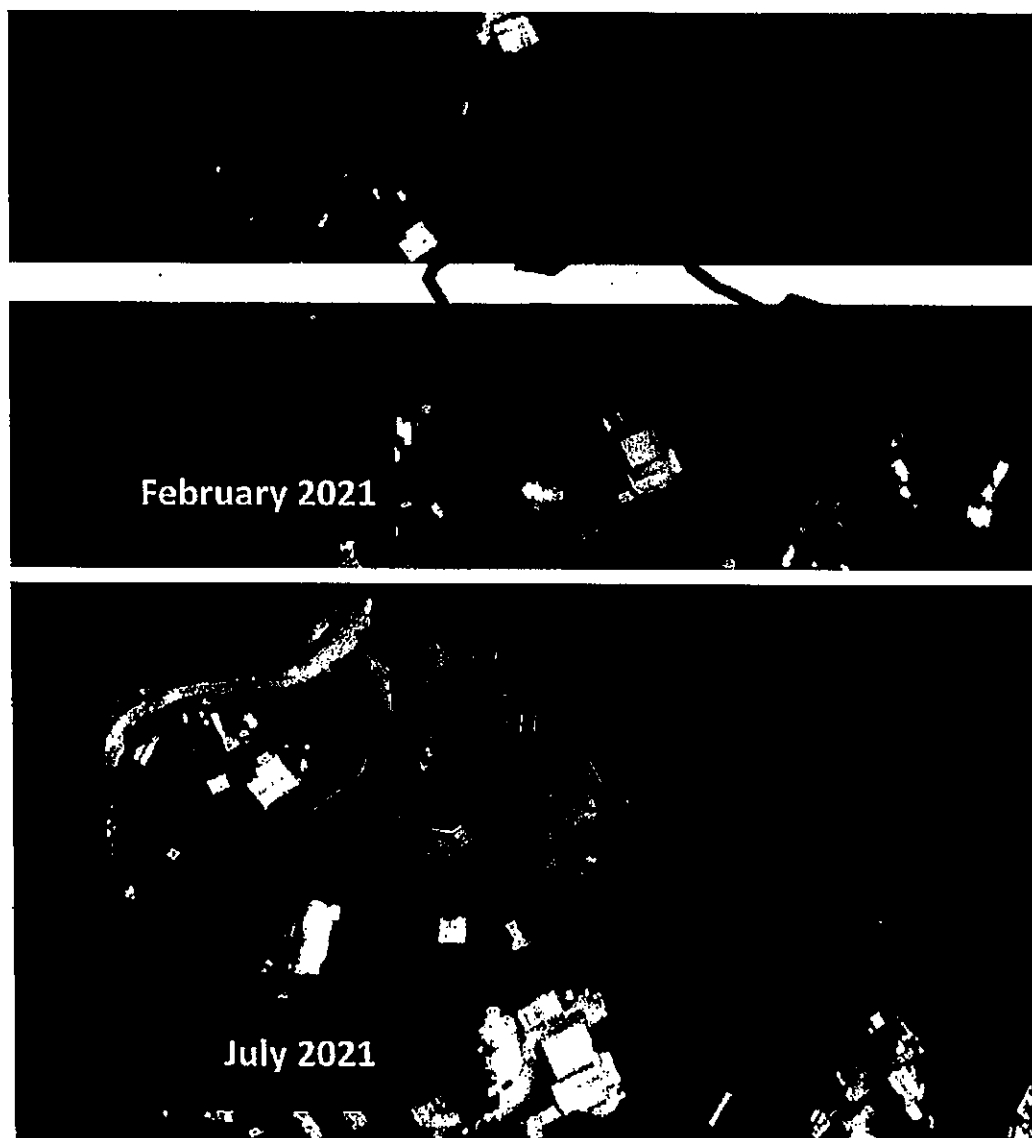
⁵ AFCD Role of Department. Available at:
http://www.afcd.gov.hk/english/aboutus/abt_role/abt_role.html

⁶ AFCD Vision and Mission. Available at:
http://www.afcd.gov.hk/english/aboutus/vision_mission/abt_vision_mission.html

The HKBWS respectfully requests the Board to take our comments into consideration and reject the current application. Thank you for your kind attention.

Yours faithfully,
Wong Suet Mei
Conservation Officer
The Hong Kong Bird Watching Society

Figure 1. The Google Earth aerial photograph in February 2021 reveals that there was well-vegetated land and ponds within the application site and is performing the function to define the limit of sub-urban development. However, landscape changes including vegetation clearance and land filling were seen at the application site in July 2021. We consider that this is "destroy first, build later".



//

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Comments on the Section 16 Application No. A/NE-MTL/10

10/02/2023 12:58

From:

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

Cc:

File Ref:

1 attachment

PDF



TPB20230210(MTL10).pdf

Dear Sir/ Madam,

Attached please find our submission on the captioned.

Yours faithfully,

Chow Oi Chuen (Ms.)

Campaign Officer

The Conservancy Association



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The Conservancy Association

10th February 2023

Town Planning Board
15/F North Point Government Offices
333 Java Road
North Point
Hong Kong

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

Dear Sir/Madam,

Comments on the Section 16 Application No. A/NE-MTL/10

The Conservancy Association (CA) OBJECTS to the captioned application.

1. Not in line with the planning intention of Green Belt (GB) zone

According to the approved Ma Tso Lung and Hoo Hok Wai Outline Zoning Plan (OZP) No. S/NE-MTL/3, the planning intention of GB zone is:

"primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone".

There was a similar planning application A/NE-MTL/8, rejected by 701st Rural and New Town Planning Committee (RTNPC) meeting on 12th August 2022 because of the following reasons:

"(a) the proposed development is not in line with the planning intention of the "Green Belt" ("GB") zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis."



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“(b) the proposed development is not in line with the Town Planning Board Guidelines No. 10 for ‘Application for Development within the “GB” zone under Section 16 of the Town Planning Ordinance’ in that the applicant fails to demonstrate in the submission that the proposed development would not affect the existing natural landscape and cause adverse environmental, traffic and nature conservation impacts on the surrounding areas.”

Referring back to this application, we opine that the applicant is still unable to justify that the plan would fulfill the above planning intention and would not cause adverse environmental impacts. We do not think such plan should be approved.

2. Adverse environmental impacts

We worry that there would be several potential adverse environmental impacts caused by the application:

- **No plans on land recovery:** Various structures/uses, including 7 temporary structures (not exceeding 5.24m in height), office, storage, lounge, washroom, guard house, portable toilets, etc., would be temporarily proposed in the application site. However, no details are available to illustrate how the land would be recovered after the proposed temporary use.
- **Adverse sewage and waste impact:** According to the application, we cannot see any details of the proposed restroom, such as design; collection, treatment and disposal of sewage, and so on. We especially worry that leaking of human sewage can cause serious environmental and hygiene problems.
- **Lacking details of drainage design:** a recent application A/NE-MTL/2, which is less than 50m from this application site, was rejected by RTNPC on 8th January 2021. The 663rd RTNPC meeting pointed out that:

“the applicant (A/NE-MTL/2) fails to demonstrate that the filling of pond and land would not cause adverse drainage and environmental impacts on the surrounding area.”

Referring back to the current application, even though no pond filling is proposed in the pond at the east of the site, some parking lots and structures have been proposed at another pond at the west of the site. It is unknown how the applicant



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can demonstrate that the proposed plan would not cause drainage and environmental impact.

- **Other sources of environmental impacts not clearly addressed:** There are no site management and operational plans to describe issues such as number of expected visitors/users, crowd control, waste management of the proposed hobby farm. All these would help identify source of environmental impacts and then suggest measures to minimize or mitigate potential environmental disturbance, but we cannot see the project proponent has attempted to address this.

3. Adverse ecological impact at Ho Sheung Heung Egrettry and Conservation Area

The application is very close to the Ho Sheung Heung Egrettry currently zoned Conservation Area. According to Egrettry Counts in Hong Kong (2016-2020), it showed that Ho Sheung Heung Egrettry was once a major habitat for Eastern Cattle Egret (*Bulbulcus coromandus*), and Chinese Pond Heron (*Ardeola bacchus*) also found in surrounding area. However, we worry that the application involved filling of pond and land, and this may affect their foraging habitat.

Besides, the site falls within/very close to part of the flight-lines between the egrettry and foraging locations of ardeids. As North East New Territories New Development Areas EIA Report (EIA-213/2013) showed that 28.5% flight-lines (Figure 1) will be crossed with the application site. During both construction and operation phase of the project, associated human disturbance such as light and noise pollution would be generated and may threaten the flight path of those birds. With such an important ecological site nearby, however, the project proponent fails to take this into account.

4. Undesirable precedent of “destroy first, build later”

This site has been subject to land formation and vegetation clearance (Figure 2-4). It is suspected that this is a case of “destroy first, build later”.

Planning Department and members of Town Planning Board (TPB) should alert that TPB has announced approaches to deter “destroy first, build later” activities in 2011. It stated that “*the Board is determined to conserve the rural and natural environment and will not tolerate any deliberate action to destroy the rural and natural environment in the hope that the Board would give sympathetic consideration to subsequent*



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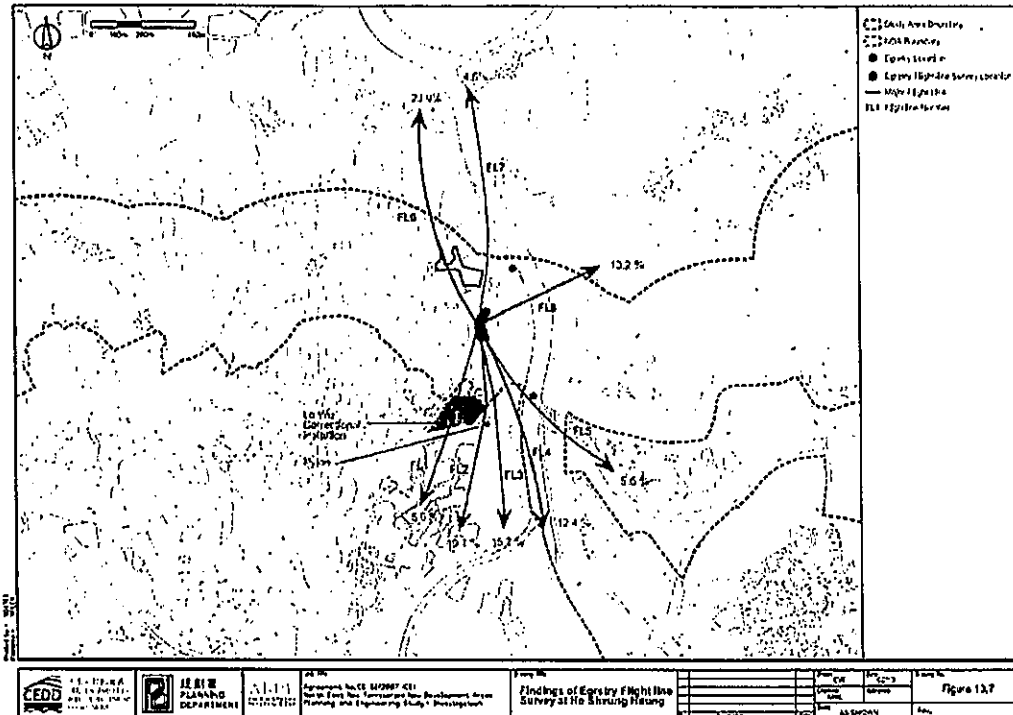
The Conservancy Association

*development on the site concerned*¹. Therefore, this application should not be given any sympathetic consideration or it will set an undesirable precedent for similar cases in future.

Yours faithfully,
Chow Oi Chuen
Campaign Officer
The Conservancy Association

¹ TPB Press Release. Available at: <http://www.info.gov.hk/gia/general/201107/04/P201107040255.htm>

Figure 1 Findings of egretty flight-line survey at Ho Sheung Heung²
(application site marked in red)



² Figure 13.7, North East New Territories New Development Areas Planning and Engineering Study – Investigation Final Environmental Impact Assessment Report
https://www.epd.gov.hk/eia/register/report/eiareport/eia_2132013/eia/pdf/figure/figure_13-7.pdf

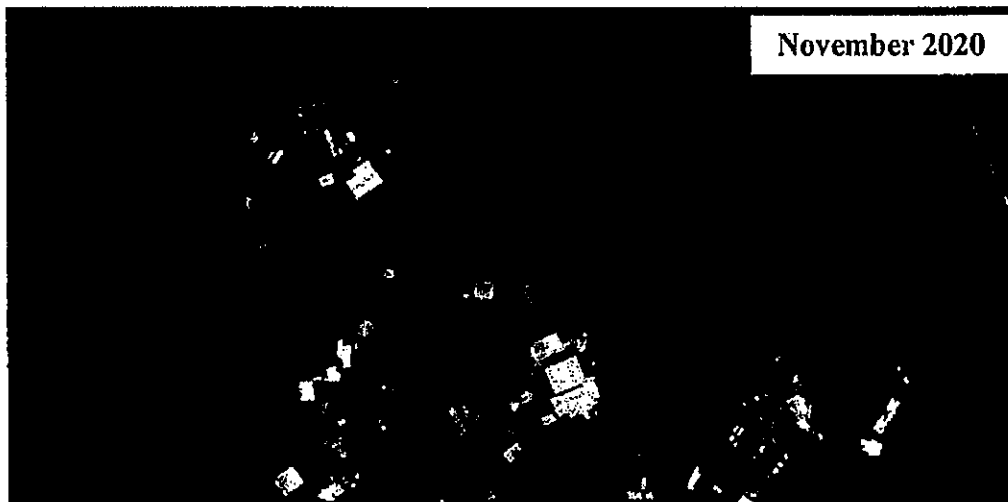


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Figure 2-4 According to aerial photos (Source: Google Earth) and our observation in May 2021, this site (marked in red) has been subject to land formation and vegetation clearance (marked in blue). It is suspected that this is a case of “destroy first, build later”





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