

This document is received on 27 JUL 2021
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 請在適當的方格內上加上「✓」號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/YL-HTF/1124
	Date Received 收到日期	27 JUL 2021

- 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)

卓健香港發展有限公司 EXCEL HONG KONG DEVELOPMENT LIMITED

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)

郭志文 KWOK CHI MAN

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)	新界元朗厦村丈量約份第28約地段 第136號
(b) Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面積	<input type="checkbox"/> Site area 地盤面積 3,107 sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Gross floor area 總樓面面積 1,540 sq.m 平方米 <input type="checkbox"/> About 約
(c) Area of Government land included (if any) 所包括的政府土地面積 (倘有)	..... sq.m 平方米 <input type="checkbox"/> About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	厦村邊緣分區計劃大綱圖 (S/1/L-H/T/12)
(e) Land use zone(s) involved 涉及的土地用途地帶	住宅 (丁類) ("R(1)")
(f) Current use(s) 現時用途	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" #& (please proceed to Part 6 and attach documentary proof of ownership).
是唯一的「現行土地擁有人」 #& (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" #& (please attach documentary proof of ownership).
是其中一名「現行土地擁有人」 #& (請夾附業權證明文件)。
- ☒ is not a "current land owner" #.
並不是「現行土地擁有人」 #。

- ☐ 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)" #.
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」 #。

(b) The applicant 申請人 -

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

Details of consent of "current land owner(s)" # obtained 取得「現行土地擁有人」 # 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)"[#]
已通知 名「現行土地擁有人」[#]。

Details of the "current land owner(s)" [#] notified 已獲通知「現行土地擁有人」 [#] 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. 如上列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)^{#&}
於 _____ (日/月/年)向每一名「現行土地擁有人」[#]郵遞要求同意書[&]

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)[&]
於 _____ (日/月/年)在指定報章就申請刊登一次通知[&]
- ☒ posted notice in a prominent position on or near application site/premises on _____ (DD/MM/YYYY)[&]
於 20/6/2021 (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[&]
- ☒ sent notice to relevant owners' corporation(s)/owners' committee(s)/mutual aid committee(s)/management office(s) or rural committee on _____ (DD/MM/YYYY)[&]
於 25/6/2021 (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，或有關係的鄉事委員會[&]

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	臨時露天存放五金廢料及物流中心 (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	<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	..... 1567 sq.m <input checked="" type="checkbox"/> About 約
Proposed covered land area 擬議有上蓋土地面積	..... 1540 sq.m <input checked="" type="checkbox"/> About 約
Proposed number of buildings/structures 擬議建築物/構築物數目	..... 4
Proposed domestic floor area 擬議住用樓面面積	..... / ..... sq.m <input type="checkbox"/> About 約
Proposed non-domestic floor area 擬議非住用樓面面積	..... 1695 sq.m <input checked="" type="checkbox"/> About 約
Proposed gross floor area 擬議總樓面面積	..... 1695 sq.m <input checked="" type="checkbox"/> About 約
Proposed height and use(s) of different floors of buildings/structures (if applicable) 建築物/構築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)	
申請地點建有四個以金屬搭建的構築物, 編號1-4, 1號構築物高約7米, 樓高一層, 佔面積約127.5平方米, 2號構築物高約7米, 樓高一層, 佔面積約110平方米, 3號構築物高約6米, 樓高一層, 佔面積約130平方米, 4號構築物高約6米, 樓高一層, 佔面積約25平方米, 四個構築物共佔面積約1540平方米, 只作存放用途。	
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	..... 1
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) /
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 旅遊巴車位 /
Light Goods Vehicle Spaces 輕型貨車車位	..... 3
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) /

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	<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>.....</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。

可參閱附頁申請理由

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 an application to the Board 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

Name in Block Letters
姓名（請以正楷填寫）

Position (if applicable)
職位（如適用）

Professional Qualification(s)
專業資格

☐ Member 會員 / ☐ Fellow of 資深會員

☐ 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

28.6.2021 (DD/MM/YYYY 日/月/年)

Remark 備註

The materials submitted in an application to the Board 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況下，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 deposited 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存放於規劃署規劃資料查詢處以供一般參閱。)

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)	
Location/address 位置/地址	新界元朗厦村丈量約份第128約地段第136號	
Site area 地盤面積	3.107 (includes Government land of 包括政府土地	sq. m 平方米 □ About 約 sq. m 平方米 □ About 約)
Plan 圖則	厦村邊緣分區計劃大綱圖 (S/YL-HTF/12)	
Zoning 地帶	住宅(丁類)(R(D))	
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 type="checkbox"/> Year(s) 年 3 <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	臨時露天存放五金廢料及物流中心	

(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 checked="" type="checkbox"/> Not more than 不多於	<input type="checkbox"/> About 約 <input checked="" type="checkbox"/> Not more than 不多於
	Non-domestic 非住用	1,695 <input type="checkbox"/> About 約 <input checked="" type="checkbox"/> Not more than 不多於	<input type="checkbox"/> About 約 <input checked="" type="checkbox"/> Not more than 不多於
(ii) No. of block 幢數	Domestic 住用	/	
	Non-domestic 非住用	4	
(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	/ <input type="checkbox"/> (Not more than 不多於) m 米	
		/ <input type="checkbox"/> (Not more than 不多於) Storeys(s) 層	
	Non-domestic 非住用	6-7 <input type="checkbox"/> (Not more than 不多於) m 米	
		1-2 <input type="checkbox"/> (Not more than 不多於) Storeys(s) 層	
(iv) Site coverage 上蓋面積	/ % <input 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) _____ _____		1
	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) _____ _____		3

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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
場地大綱圖, 場地位置圖		
Reports 報告書		
Planning Statement/Justifications 規劃綱領/理據	<input checked="" 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。

申請理由

1. 申請地點位於新界元朗廈村丈量約份第 128 約地段第 136 號，面積約 3,107 平方米，由卓匯香港發展有限公司(EXCEL HONG KONG DEVELOPMENT LIMITED)提出申請，作為期三年的臨時露天存放五金廢料及物流中心用途。
2. 此申請地點位於廈村邊緣分區計劃大綱核准圖編號(S/YL-HTF/12)的「住宅(丁類)」("R (D)")地帶內。申請發展屬「露天貯物及港口後勤用途」，不屬於「住宅(丁類)」("R (D)")地帶內第一欄或第二欄的准許用途。須按條例 16 向城市規劃委員會提交申請，城委會視乎情況考慮，在有條件或無條件的情況下，發出最多為期三年的規劃許可。(可參閱：場地大綱圖及場地位置圖)
3. 申請地點所在位置同時亦屬規劃指引 13F 的「第二類地區」範圍。按規劃指引 13F 的擬作「露天貯物及港口後勤用途」內說明，「第二類地區」指大多數為未有清晰規劃意向或既定的發展計劃；會受即將展開的大型基建工程所影響；坐落或鄰近《城市規劃條例》定為「現有用途」的「露天貯物或港口後勤」用地，水浸機會不高。申請人或須提交技術評估，以證明擬議用途不會對附近地區造成不良的排水、交通、視覺和環境影響。若政府部門沒有負面意見，而附近居民不予反對，或者各政府部門和附近居民所關注的問題均能透過實施規劃許可的附帶條件而獲得解決，有關申請將會獲得有效期最多 3 年的臨時規劃許可。
4. 申請地點範圍涉及一宗成功取得許可紀錄可，發展作為期三年的臨時露天存放五金廢料及物流中心用途(申請檔案：A/YL-HTF/1115)，於 28/5/2021 在有條件下再次取得臨時性質的許可。雖然現時申請(申請檔案：A/YL-HTF/1115)的規劃許可尚未屆滿，唯申請地點面積不敷應用，及需要增加上蓋面積。因應發展需要，申請人會稍為擴張申請範圍。申請地點面積會由約 2,600 平方米調整至約 3,107 平方米，構築物佔面積由約 1,110 平方米調整至約 1,540 平方米，已反映在是次申請之內。申請人希望把申請地點擴張部份納入規管，以便明正言順地發展，遂再次提交申請。(可參閱場地大綱圖及場地位置圖)

5. 是次申請與現時申請(申請檔案：A/YL-HTF/1115)的範圍十分接近，發展性質及整體情況相同；現時申請(申請檔案：A/YL-HTF/1115) 於 28/5/2021 進行鄉郊及新市鎮規劃小組委員會會議表決，城規會認為申請的臨時用途可予容忍三年。當日需商榷的事情不多，相信規劃署及地區人士對現時申請(申請檔案：A/YL-HTF/1115)的意見，亦可供此申請參考。會議中規劃署的意見撮錄如下：

部門意見方面：部門(包括環境保護署)不反對或沒有負面意見。

公眾意見方面：收到兩份公眾反對意見，認為擬議發展會帶來交通及環境方面的問題。

在規劃考慮及評估方面：

「住宅(丁類)」的規劃意向，是主要透過將現有的臨時構築物重建作永久的構築物，以改善鄉郊地區的臨時構築物。雖然申請用途並不完全符合「住宅(丁類)」地帶的規劃意向，但現時沒有發展有關用地的時間表，批准有關臨時用途，是不會影響「住宅(丁類)」的長遠規劃意向。

擬議發展同附近土地用途，主要為貨倉、露天存放等，並非不相協調。

此申請沒有重大的負面影響，部門關注的問題，可以由附帶條件來處理。

申請符合規劃指引編號 13F，申請地點位置屬於「第二類地區」；即是政府部門沒有負面意見，附近居民不反對，或者政府部門和附近居民所關注的問題可以由附帶條件處理，城規會可以考慮有關申請獲得有效期最多 3 年的臨時許可。

小組委員會在同一「住宅(丁類)」地帶內，曾經批准過一宗作臨時存放的規劃申請。批准這宗申請，都符合小組委員會先前的決定。

6. 基於以上原因，現時申請(申請檔案：A/YL-HTF/1115)在有附帶條件下，獲城規會批准。相信規劃署及地區人士對前申請的意見，亦適用於此申請之上。申請人明白每一宗申請都是個別獨立的個案，並無必然的對應關係。現時申請(申請檔案：A/YL-HTF/1115)對此申請具有一定的參考價值。
7. 申請地點周圍，即與申請地點屬同一「住宅(丁類)」("R (D)")地帶的土地，有為數不少屬於「露天貯物及港口後勤用途」的發展。發展項目以露天倉地，回收物料場地、維修工場、上蓋倉庫及物流中心用途為主。申請地點發展作臨時露天存放建築材料用途，發展與周圍土地用途相近。

8. 由於政府要落實洪水橋及厦村分區計劃大綱圖的發展，並已進行了收地，此舉影響到一些「露天貯物及港口後勤的用途」的用地。申請人提交是次申請，旨在回應業界對另覓土地繼續發展「露天貯物及港口後勤的用途」的需求。
9. 申請地點涉及一幅私人土地，不涉政府土地。申請地點地型不規則，位於半山高地，地勢平坦並已平整，由於過去已發展，無須進行任何斬樹、填泥、鑽土及隔斷水源等損害環境的開闢工作。申請地點於過去已有發展，故此基本設施齊備（水電供應）。
10. 申請地點辦公時間為星期一至星期六，每日早上八時至晚上八時，星期日及公眾假期休息。必要的運輸工作，會安排在日間非繁忙時間進行，晚上不會進行任何運輸工作。
11. 擬議申請發展屬臨時性質，從事工作整齊，設施簡單容易還完。除標題發展外，不涉其他用途。不會在申請地點從事維修、噴油及清洗車輛等工作。不會有任何損害環境設施，申請地點內不會存放易燃物品，發展項目不含有害廢料或污染物，對生態及環境不會帶來任何影響。申請人會遵從環保署署長最新發出的《處理臨時用途及露天貯存用地的環境問題作業指引》，盡量減低發展對附近可能造成的環境影響。
12. 申請地點發展作臨時露天存放五金廢料及物流中心用途，配套設備簡單。建有四個以金屬搭建的構築物，編號 1-4。1 號構築物高約 7 米，樓高一層，佔面積約 1,275 平方米。2 號構築物高約 7 米，樓高一層，佔面積約 110 平方米。3 號構築物高約 6 米，樓高兩層，佔面積約 130 平方米。4 號構築物高約 6 米，樓高兩層，佔面積約 25 平方米。四個構築物共佔面積約 1,540 平方米，只作存放用途，不會有任何人關在申請地點及構築物內留宿。（可參閱：場地設計圖）
13. 申請地點標題為臨時露天存放五金廢料及物流中心用途。發展以臨時露天存放五金廢料為主，涉及分類、包裝和打包工作。臨時露天存放五金廢料及物流中心的工作二而為一，物流中心用途同樣在露天存放五金廢料範圍之內。日常營運，主要將回收五金廢料貯存、包裝及分流，再交由貨車運走。申請地點內並無易燃物品。也不會發出引人注意的聲響。

14. 基於保安考慮，申請地點不歡迎閒雜車輛進入，故此不會設立訪客泊車位。申請地點會設置三個輕型貨車泊車位及一個私家車泊車位。三個輕型貨車泊車位每個面積 7 米 X 3.5 米，佔面積 73.5 平方米。供申請地點所屬的輕型貨車輪候及上落貨之用。一個私家車泊車位面積 2.5 米 X 5 米，供私家車停泊。除了上述車輛外，不會有任何車輛出入申請地點，或使用申請地點內設的泊車位。
15. 申請地點設有 10 米直徑的車輛迴旋空間，供車輛轉動。申請地點內亦有足夠土地，供上貨或卸貨。任何時間均不會有車輛在公共道路排隊等候。申請地點會嚴格規定，所有車輛都不會以倒車方式進入申請地點。申請地點對附近交通不會構成影響，亦不會構成道路安全問題。申請人在此保證，不會有超過 5.5 噸的車輛進入申請地點。（可參閱：場地設計圖）
16. 運輸工作並無迫切性，輕型貨車裝卸貨物，都會事先預約，使用者可完全控制運輸時間。運輸工作可按交運通情況靈活調配，完全避開交通繁忙時間，對附近交通不會構成壓力。進出申請地點的車輛數目極為穩定，只有一輛私家車（員工車輛）及三輛輕型貨車，申請地點的車輛流量都可在預計之內。申請地點的員工，包括貨車司機在內共有四人。共駕駛有三輛輕型貨車及一輛私家車。申請地點的員工上班車輛，屬私家車，並設有一個私家車泊車位。除申請標題的運輸工作外，員工上下班及午餐時間都會使用私家車。



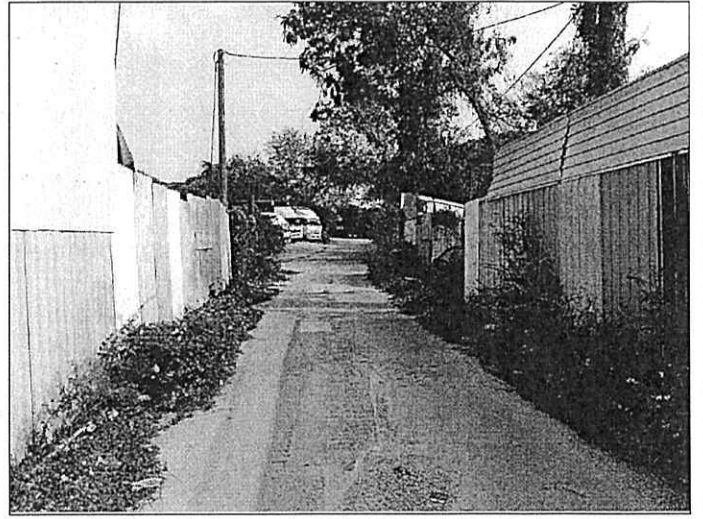
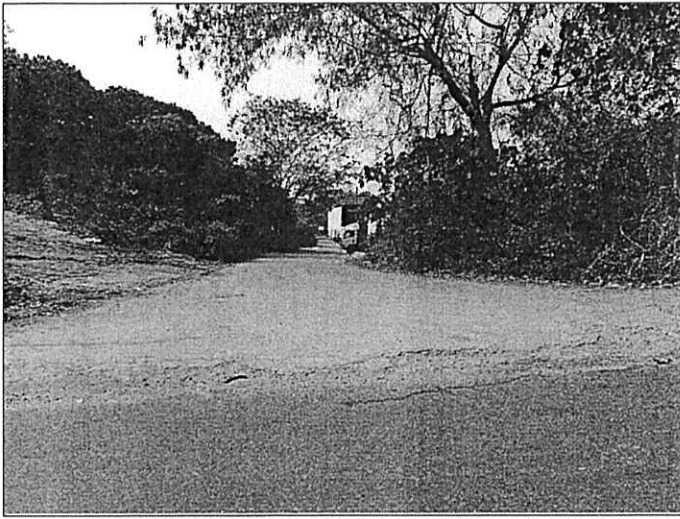
5.5 噸輕型貨車

17. 臨時露天存放五金廢料用途，性質屬定期存放，需要進行的運輸工作極為輕微。按未來營運情況估計，每輛輕型貨車平均每天進行一次運輸工作，由三輛 5.5 噸輕型貨車進行。每天進入申請地點的貨車有 6 架次，輕微的汽車流量不會對周邊地區的交通構成重大或不良影響。以下是申請地點的交通流量預算，詳細如下：

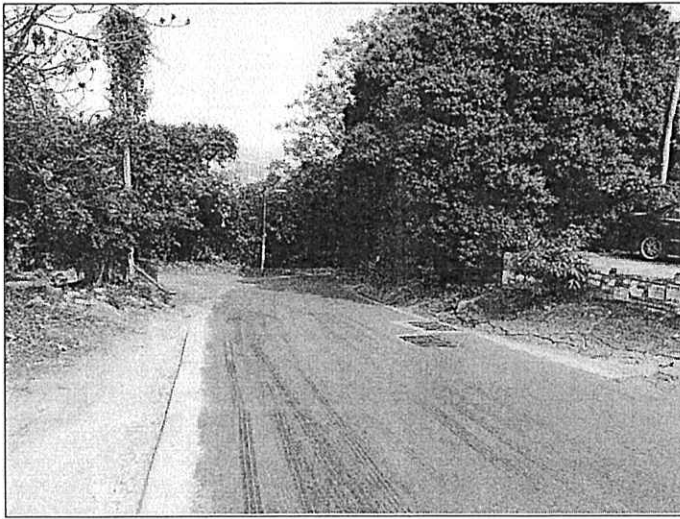
申請地點的車輛流量預算					
	星期一至六				每小時車輛 出入次數
	小型貨車		私家車		
	入	出	入	出	
09:00 - 10:00	0	0	1	0	1
10:00 - 11:00	2	0	0	0	2
11:00 - 12:00	1	1	0	0	2
12:00 - 13:00	0	1	0	1	2
13:00 - 14:00	0	0	0	0	0
14:00 - 15:00	0	1	1	0	2
15:00 - 16:00	0	0	0	0	0
16:00 - 17:00	0	0	0	0	0
17:00 - 18:00	0	0	0	0	0
18:00 - 19:00	0	0	0	1	1
申請地點尚未發展，以上數字為預算車輛進出場地記錄， 假設當天附近地區沒有交通事故，進出場地車輛數量正常。					

18. 出入口設於申請地點東北面，出入口（閘門）闊度不約 12 米，位置均寬敞明確，有足夠空間供如消防車之類的緊急車輛進入。
19. 申請地點有行車通道連接雞伯嶺路，經由一段雞伯嶺路再連接鳳降村路，接通新界道路網。行車通道已使用多年，為一條山邊現有村路，少有行人，長度約五十米，車道平坦沒有彎位，平均闊度約 4.5 米，路面早已平整。而且沿路亦有一些避車位置，相信行車通道可供 5.5 噸輕型貨車安全使用。行車通道屬公眾通道，使用者與業主會參與管理、維修及補養等工作。

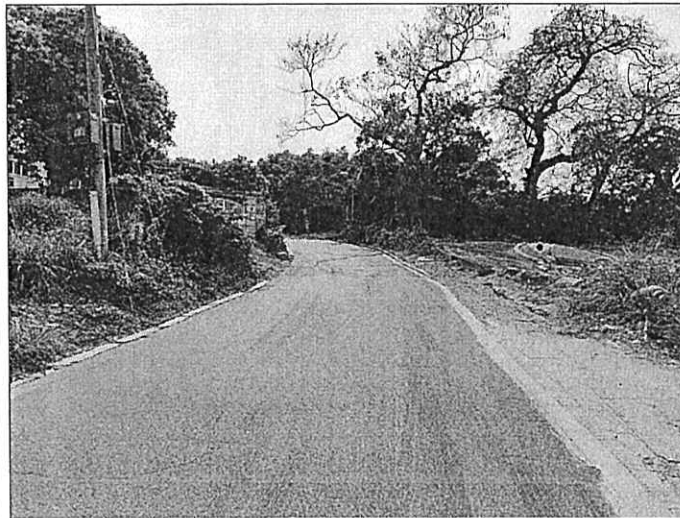
行車通道實況照片



雞伯嶺路實況照片

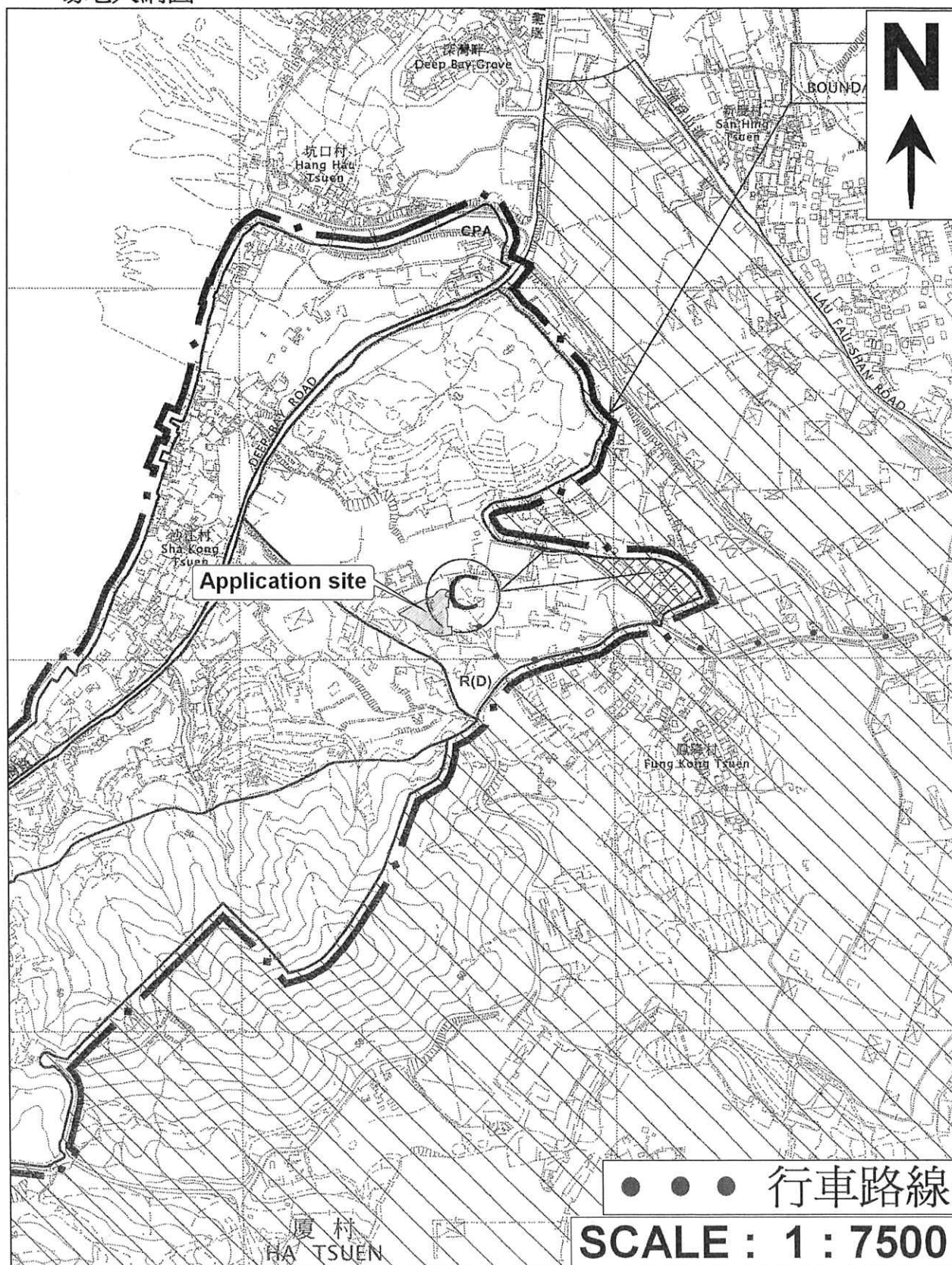


鳳降村路實況照片

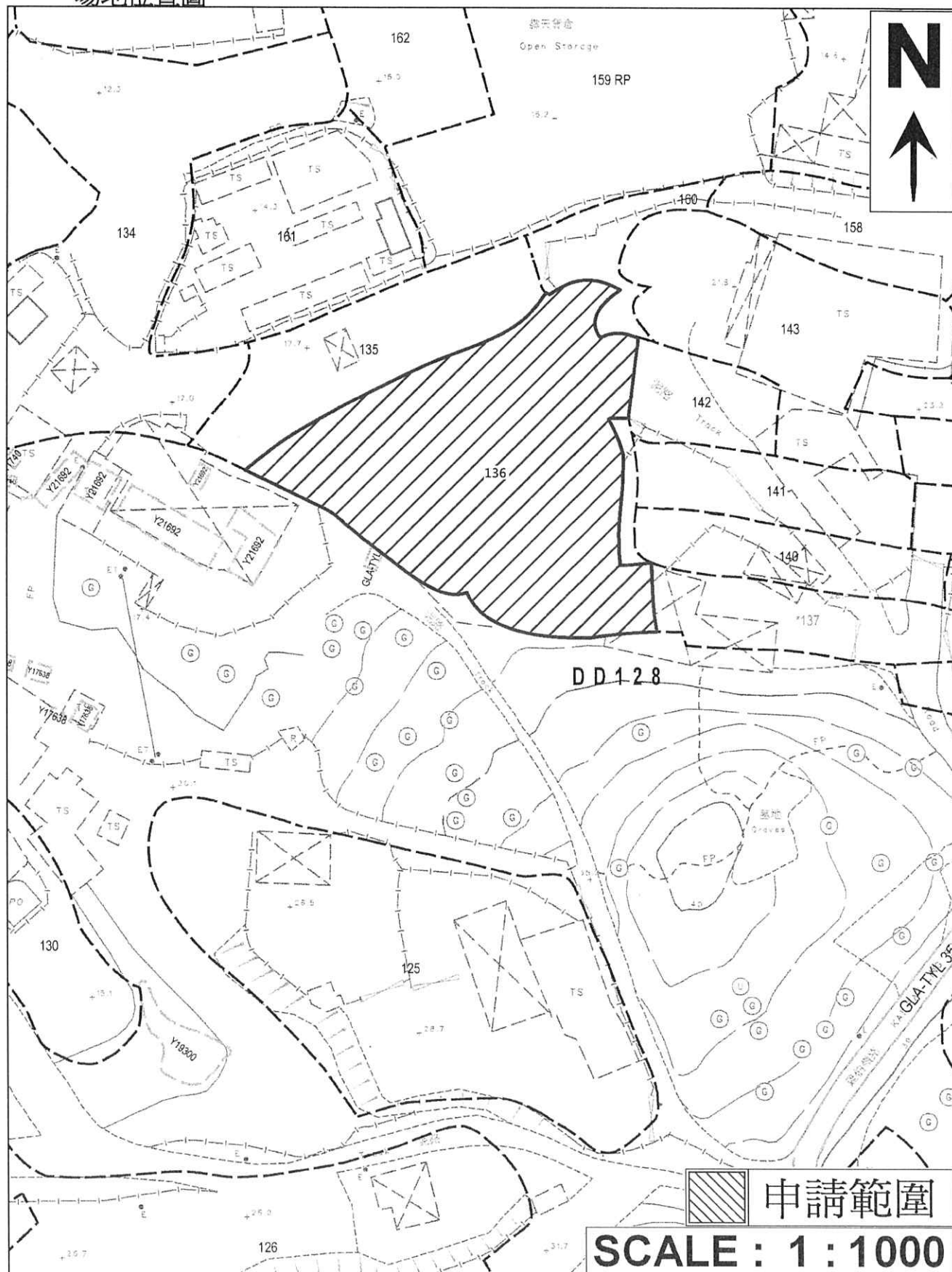


20. 申請人會聘請具經驗公司協助，在申請地點實施所有附帶條件工程，包括綠化、渠務、消防裝置及紓緩環境措施工作。落實執行的附帶條件工程，能加強地區綠化，有效降低水浸的機會，同時改善環境衛生。相信各政府部門和附近居民所關注的問題，都能透過實施上述附帶條件而得到解決。
21. 申請人願意承擔場內所有附帶條件設施的興建和維修保養責任。為防止出現阻塞及狀況變壞，申請人會安排專人定期檢驗及維修排水設施，並按時清理沙井內的雜物，確保有關設施能運作良好，不會令申請地點及鄰近地區出現水浸問題。
22. 申請地點範圍屬集體政府租契批租的舊批農地。此申請獲通過後，申請人會依足規定，就申請地點上搭建構築物，向地政總署元朗地政專員申請短期豁免書（STW），包括繳付地價或費用。
23. 申請地點會委託專業管理公司負責管理，按時派員收集和清理垃圾，噴灑防蚊藥水，確保環境衛生及美觀。相信申請地點發展後，亦能繼續與社區保持和諧。在完善管理下，亦可避免土地荒廢或被人胡亂傾倒泥頭或廢物，減少細菌及蚊蟲滋生的可能。
24. 此申請能有意義及靈活地善用地點資源，善用鄉郊土地。政府亦可將發展納入規管，有助於抑制同區其他違規發展，對規劃及環境均帶有好處及產生正面作用。
25. 此申請經過周詳計劃，顧慮周全，對各方面都能平衡及協調，不會對規劃及地方環境帶來負面影響。於提交申請前，申請人已廣泛向地區人士徵詢意見，區內人士對擬議發展並無反對意見。城規會可在規劃許可加入適當的附帶條件和指引性質條款，盡量減少擬議發展對環境可能造成的影響。

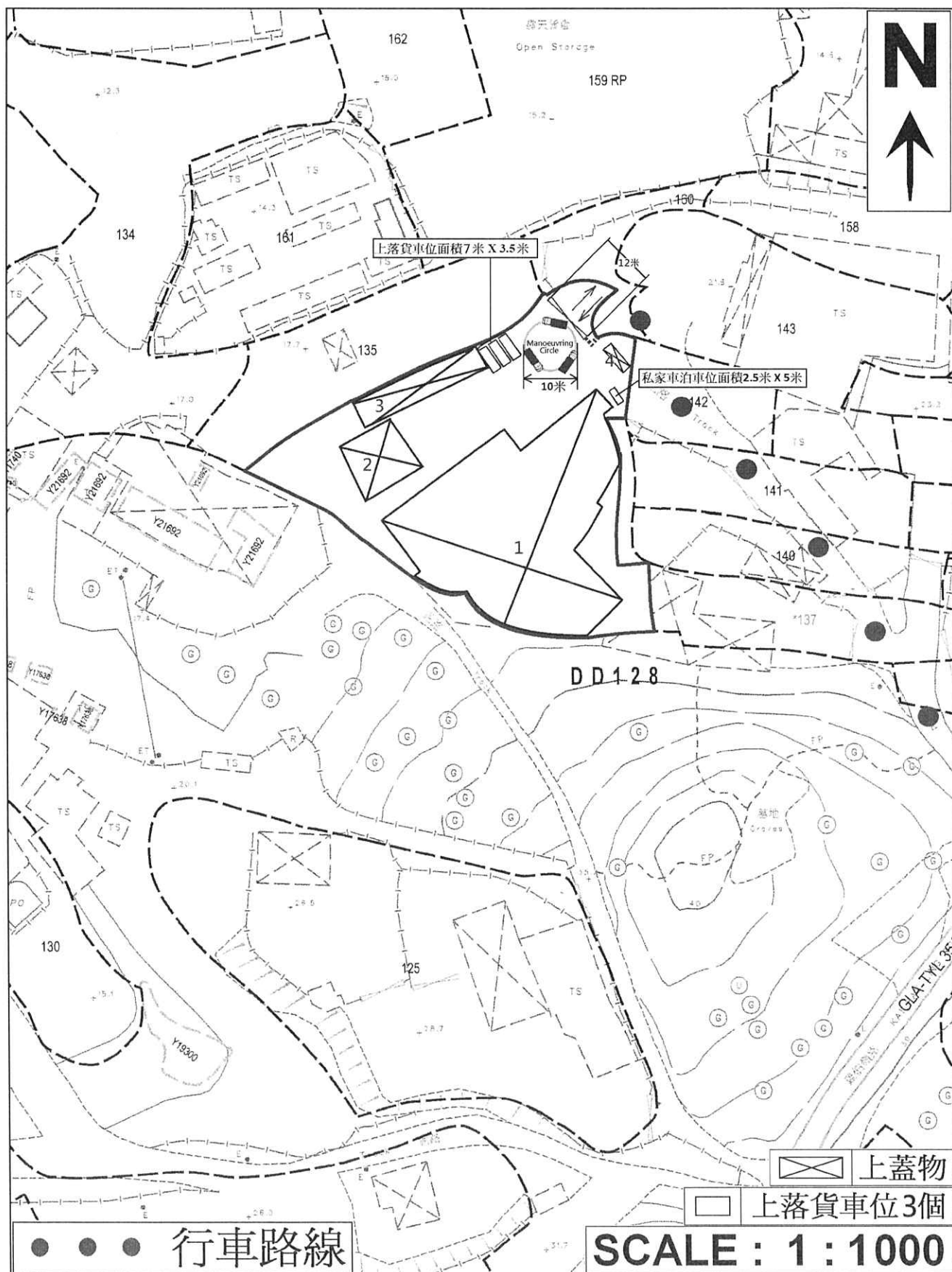
場地大綱圖



場地位置圖



場地設計圖



Relevant extract of the Town Planning Board Guidelines for
Application for Open Storage and Port Back-up Uses
(TPB PG-No. 13F)

1. On 27.3.2020, the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13F) were promulgated, which set out the following criteria for the various categories of area:
 - (a) Category 1 areas: favourable consideration will normally be given to applications within these areas, subject to no major adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions. Technical assessments should be submitted if the proposed uses may cause significant environmental and traffic concerns;
 - (b) Category 2 areas: planning permission could be granted on a temporary basis up to a maximum period of 3 years, subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions. Technical assessments, where appropriate, should be submitted to demonstrate that the proposed uses would not have adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas;
 - (c) Category 3 areas: applications would normally not be favourably considered unless the applications are on sites with previous planning approvals (irrespective of whether the application is submitted by the applicant of previous approval or a different applicant). Sympathetic consideration may be given if genuine efforts have been demonstrated in compliance with approval conditions of the previous planning applications and relevant technical assessments/proposals have been included in the fresh applications, if required, to demonstrate that the proposed uses would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas. Planning permission could be granted on a temporary basis up to a maximum period of 3 years, subject to no adverse departmental comments and local objections, or the concerns of the departments and local residents can be addressed through the implementation of approval conditions; and
 - (d) Category 4 areas: applications would normally be rejected except under exceptional circumstances. For applications on sites with previous planning approvals (irrespective of whether the application is submitted by the applicant of previous approval or a different applicant), and subject to no adverse departmental comments and local objections, sympathetic consideration may be given if genuine efforts have been demonstrated in compliance with approval conditions of the previous planning applications and relevant technical assessments/proposals have been included in the fresh applications, if required, to demonstrate that the proposed uses would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas. The intention is however to encourage the phasing out of such non-conforming uses as early as possible. A maximum period of 2 years may be allowed upon renewal of planning permission for an applicant to identify suitable sites for relocation. No further renewal of approval will be given unless under very exceptional circumstances and each application for renewal of approval will be assessed on its individual merit.

2. In assessing applications for open storage and port back-up uses, the other major relevant assessment criteria are also summarised as follows:
- (a) the use of sites of less than 1,000 m² each for open storage uses and 2,000 m² each for port back-up uses in rural areas is generally not encouraged, other than sites located in major road corridors, industrial/godown/workshop areas, quarrying activities or where it is demonstrated that optimum use is made of the site. This is to prevent the further proliferation of small sites in rural areas, minimising sprawl over countryside areas and reducing travel trips;
 - (b) port back-up sites and those types of open storage uses generating adverse noise, air pollution, visual intrusion and frequent heavy vehicle traffic should not be located adjacent to sensitive receivers such as residential dwellings, hospitals, schools and other community facilities;
 - (c) port back-up uses are major generators of traffic, with container trailer/tractor parks generating the highest traffic per unit area. In general, port back-up sites should have good access to the strategic road network, or be accessed by means of purpose built roads;
 - (d) adequate screening of the sites through landscaping and/or fencing should be provided where sites are located adjacent to public roads or are visible from surrounding residential areas;
 - (e) there is a general presumption against conversion of agricultural land and fish ponds to other uses on an ad-hoc basis, particularly in flood prone areas or sites which would obstruct natural drainage channels and overland flow; and
 - (f) for applications involving sites with previous planning approvals, should there be no evidence to demonstrate that the applicants have made any genuine effort to comply with the approval conditions of the previous planning applications, planning permission may be refused, or a shorter compliance period for the approval conditions may be imposed, notwithstanding other criteria set out in the Guidelines are complied with.

Previous s.16 Application covering the Application Site

Approved Application

	<u>Application No.</u>	<u>Proposed Use</u>	<u>Zoning</u>	<u>Date of Consideration (RNTPC)</u>	<u>Approval Conditions</u>
1	A/YL-HTF/1115	Proposed Temporary Open Storage of Metal Waste and Logistics Centre for a Period of 3 Years	R(D)	28.5.2021	1-10

Approval Conditions

- (1) No night-time operation.
- (2) No operation on Sundays and public holidays.
- (3) No workshop activity.
- (4) No medium or heavy goods vehicles exceeding 5.5 tonnes, as defined under the Road Traffic Ordinance, are allowed to enter/be parked on the site.
- (5) Submission and implementation of drainage proposal.
- (6) Maintain implemented drainage facilities.
- (7) Submission and implementation of fire service installations proposals.
- (8) Provision/maintenance of boundary fencing.
- (9) Provision of the fire extinguisher(s).
- (10) Revocation clauses.

Rejected Application

	<u>Application No.</u>	<u>Proposed Use</u>	<u>Zoning</u>	<u>Date of Consideration (RNTPC)</u>	<u>Rejection Reasons</u>
1	A/YL-HTF/1108	Temporary Plastic Recycling Centre with Workshop and Ancillary Office for a Period of 3 Years	R(D)	4.12.2020	1-2

Rejection Reasons

1. The applied use is not in line with the planning intention of the “R(D)” zone, which is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis.
2. The applicant fails to demonstrate that the applied use would not generate adverse environmental impact on the surrounding areas.

**Similar s.16 Application within the same “R(D)” Zone
on the approved Ha Tsuen OZP since 17.10.2008**

Approved Application

<u>No.</u>	<u>Application No.</u>	<u>Proposed Use</u>	<u>Zoning</u>	<u>Date of Consideration (RNTPC)</u>	<u>Approval Conditions</u>
1	A/YL-HTF/1111	Temporary Open Storage of Metal for a Period of 3 Years	“R(D)”	12.3.2021	1-3,5-9,11,12
2	A/YL-HTF/1114	Proposed Temporary Open Storage of Construction Materials for a Period of 3 Years	“R(D)”	28.5.2021	1,2,4,5,7-12
3	A/YL-HTF/1118	Proposed Temporary Open Storage of Construction Materials for a Period of 3 Years	“R(D)”	25.6.2021	1,2,4,5,8-12
4	A/YL-HTF/1119	Proposed Temporary Open Storage of Construction Materials for a Period of 3 Years	“R(D)”	9.7.2021	1,2,4,5,8-12
5	A/YL-HTF/1122	Proposed Temporary Open Storage of Construction Materials for a Period of 3 Years	“R(D)”	27.8.2021	1,2,4,5,7-12

Approval Conditions

- (1) No night-time operation.
- (2) No operation on Sundays and public holidays.
- (3) No heavy goods vehicles exceeding 24 tonnes including container trailer and tractor is allowed to enter/be parked on the Site.
- (4) No medium or heavy goods vehicles exceeding 5.5 tonnes are allowed to enter/be parked on the Site.
- (5) No workshop activity.
- (6) No vehicle is allowed to queue back to or reverse onto/from the public road.
- (7) Maintenance of drainage facilities.
- (8) Submission and implementation of drainage proposal.
- (9) Submission and implementation of fire service installations proposals.
- (10) Provision/maintenance of boundary fencing.
- (11) Provision of the fire extinguisher(s).
- (12) Revocation clauses.

J 1

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

210809-154849-80725

提交限期

Deadline for submission:

24/08/2021

提交日期及時間

Date and time of submission:

09/08/2021 15:48:49

有關的規劃申請編號

The application no. to which the comment relates:

A/YL-HTF/1124

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. LAM KA HING

意見詳情

Details of the Comment :

反對，鄉郊設臨時露天存放五金廢料及物流中心倉庫及工場必會增加附近車輛出入流量，引至附近交通阻塞、環境污染，增加引發火警危機，影響村民安全及生活質數。

5-1 Bldg

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

210820-164532-99638

提交限期

Deadline for submission:

24/08/2021

提交日期及時間

Date and time of submission:

20/08/2021 16:45:32

有關的規劃申請編號

The application no. to which the comment relates:

A/YL-HTF/1124

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. LAM KA HING

意見詳情

Details of the Comment :

反對，鄉郊設臨時露天存放五金廢料及物流中心必會增加附近車輛出入流量，引至附近交通阻塞、環境污染，增加引發火警危機，影響村民安全及生活質數。

☐ Urgent ☐ Return receipt ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&public groups



A/YL-HTF/1124 DD 128 Fung Kong Tsuen, Ha Tsuen
24/08/2021 02:30

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
FileRef:

A/YL-HTF/1124

Lot 136 (Part) in D.D.128, Fung Kong Tsuen, Ha Tsuen .

Site area : About 3,107sq.m

Zoning : "Res (Group D)"

Applied use : Open Storage Metal Waste / 4 Vehicle Parking

Dear TPB Members,

PlanD supported and members asked no questions. 1115 was approved. Now back for a larger site.

Note that conditions were not fulfilled.

Members have a duty to inquire into such matters. What conditions were not being fulfilled?

We are talking about recycling facility, these operations are fire hazards, for example.

Re the agreement of board on 6 August that the issue of compliance with conditions is to be taken more seriously, the board should consider giving approval for one year only.

Our Chief Secretary has stated that Hong Kong will develop 'a law abiding community'. Is this policy applicable only to certain sectors of society?

Mary Mulvihill

From: [REDACTED]
To: "tpbpd" <tpbpd@pland.gov.hk>
Sent: Friday, May 7, 2021 3:02:23 AM
Subject: A/YL-HTF/1115 DD 128 Fung Kong Tsuen, Ha Tsuen

A/YL-HTF/1115

Lot 136 (Part) in D.D.128, Fung Kong Tsuen, Ha Tsuen

Site area : About 2,600sq.m

Zoning : "Res (Group D)"

Applied use : Open Storage Metal Waste / 4 Vehicle Parking

Dear TPB Members,

Previous application was rejected on 4 December but applicant is back, with a larger site. Metal waste is recycling under another name.

This area is intended for residential use. Recycling produces toxins, contaminates the soil and such facilities often catch fire. Certainly not in line with the intended development.

Mary Mulvihill

From: [REDACTED]
To: "tpbpd" <tpbpd@pland.gov.hk>
Sent: Wednesday, September 2, 2020 3:07:34 AM

Subject: A/YL-HTF/1108 DD 128 Fung Kong Tsuen
A/YL-HTF/1108
Lot 136 (Part) in D.D.128, Fung Kong Tsuen, Ha Tsuen
Site area : About 1,850sq.m
Zoning : "Res (Group D)"
Applied use : Plastic Recycling Centre / 2 Vehicle Parking

Dear TPB Members,

October 2018: The Chief Executive in Council has approved the draft Ha Tsuen Fringe Outline Zoning Plan (OZP).

"The approved OZP provides a statutory land use planning framework to guide the development and redevelopment within the Ha Tsuen Fringe area," a spokesman for the Town Planning Board said today (October 26).

The planning scheme area covers about 341.15 hectares of land in the western part of the North West New Territories. It is bounded by the Hung Shui Kiu New Development Area and the Kong Sham Western Highway in the east, Lau Fau Shan and the coast of Deep Bay in the north, Tsing Shan Firing Range in the west and Yuen Tau Shan in the south and southwest.

About 17.35 hectares of land are zoned "Residential (Group D)" for improvement and upgrading of existing temporary structures in the rural area to permanent buildings.

The application is for an existing brownfield use. So what progress is being made with regard to relocating operations like this in order to achieve the planning intention?

Members must question what the timeline is for the transformation.

Mary Mulvihill

Advisory clauses

- (a) the permission is given to the temporary open storage of metal waste and logistics centre use under application. It does not condone any other use which currently exists on the Site but not covered by the application. The applicant shall be requested to take immediate action to discontinue such use not covered by the permission;
- (b) prior planning permission should have been obtained before commencing the applied use at the application site;
- (c) to resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (d) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the Site comprises Old Schedule Agricultural Lot 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. The lot owner(s) of the lot(s) will need to apply to his office for permitting the structures to be erected or to regularize any irregularities on site, if any. Besides, given the applied use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. Application(s) of any of the above will be considered by LandsD acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such application(s) will be approved. If such application(s) is/are approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by LandsD;
- (e) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the Building Authority (BA), they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the application. For UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with the prevailing enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the application site under the BO. Before any new building works (including containers / open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the Building Authority should be obtained, otherwise they are UBW under the BO. An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO. The Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively. The Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at building plan submission stage. 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. Detailed checking under the BO will be carried out at building plan submission stage;
- (f) to note the comments of the Director of Environmental Protection that the applicant is advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” issued by the DEP to minimize potential environmental nuisance to the surrounding area;
- (g) to note the comments of the Commissioner for Transport that sufficient manoeuvring space

shall be provided within the Site. The local track leading to the Site is not under TD's purview. The applicant shall obtain consent of the owners/managing departments of the local track for using it as the vehicular access to the Site;

- (h) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads/drains. HyD shall not be responsible for the maintenance of any access connecting the Site and Kai Pak Ling Road;
- (i) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that existing water mains will be affected. The cost of any necessary diversion shall be borne by the applicant. In case it is not feasible to divert the affected water mains, a waterworks reserve within 1.5m from the centre line of the water mains shall be provided to WSD. No structure shall be built or materials stored within this waterworks reserve. Free access shall be made available at all times for staff of the Director of Water Supplies or their contractor to carry out construction, inspection, operation, maintenance and repair works. No trees or shrubs with penetrating roots may be planted within the waterworks reserve or in the vicinity of the water main. The Government shall not be liable to any damage whatsoever and howsoever caused arising from burst or leakage of the public water mains within an in close vicinity of the Site;
- (j) to note the comments of the Antiquities and Monuments Office, Development Bureau (AMO, DevB) that the applicant is required to inform AMO immediately in case any antiquities or supposed antiquities are discovered in the course of works; and
- (k) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval. In addition, the applicant should also be advised that the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy and the location of where the proposed FSI to be installed should be clearly marked on the layout plans. The applicant should also adhere to **Appendix VII** for the good practice guidelines for open storage. However, the applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

Good Practice Guidelines for Open Storage Sites

		Internal Access for Fire Appliances	Lot Boundaries (Clear Width)	Distance between Storage Cluster and Temporary Structure	Cluster Size	Storage Height
1.	Open Storage of Containers		2m	4.5m		
2.	Open Storage of Non- Combustibles or Limited Combustibles	4.5m	2m	4.5m		
3.	Open Storage of Combustibles	4.5m	2m	4.5m	40m x 40m	3m

Remarks: Smoking and naked flame activities shall not be allowed within the open storage / recycling site.