

This document is received on - 2 NOV 2022  
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-I  
表格第 S16-I 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 proposals not involving or not only involving:  
適用於建議不涉及或不祇涉及:

- (i) Construction of "New Territories Exempted House(s)";  
興建「新界豁免管制屋宇」;
- (ii) Temporary use/development of land and/or building not exceeding 3 years in rural areas; and  
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;及
- (iii) Renewal of permission for temporary use or development in rural areas  
位於鄉郊地區的臨時用途或發展的許可續期

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](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](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	M14C-LFS/448
	Date Received 收到日期	- 2 NOV 2022

- 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	
<input checked="" type="checkbox"/> Mr. 先生 / <input type="checkbox"/> Mrs. 夫人 / <input type="checkbox"/> Miss 小姐 / <input type="checkbox"/> Ms. 女士 / <input type="checkbox"/> Company 公司 / <input type="checkbox"/> Organisation 機構	
鄧君正	
2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)	
<input type="checkbox"/> Mr. 先生 / <input type="checkbox"/> Mrs. 夫人 / <input type="checkbox"/> Miss 小姐 / <input type="checkbox"/> Ms. 女士 / <input type="checkbox"/> Company 公司 / <input type="checkbox"/> Organisation 機構	
N/A	
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)	DD126 lot 1 S.L RP (Part)
(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 ..... 17,045 ..... sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Gross floor area 總樓面面積 ..... 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	S/YL - LFS/11
(e) Land use zone(s) involved 涉及的土地用途地帶	自然保育區
(f) Current use(s) 現時用途	魚塘養殖

(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"<sup>#&</sup> (please proceed to Part 6 and attach documentary proof of ownership).  
是唯一的「現行土地擁有人」<sup>#&</sup> (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"<sup>#&</sup> (please attach documentary proof of ownership).  
是其中一名「現行土地擁有人」<sup>#&</sup> (請夾附業權證明文件)。
- is not a "current land owner"<sup>#</sup>.  
並不是「現行土地擁有人」<sup>#</sup>。

- 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)"<sup>#</sup>.  
根據土地註冊處截至 2022 年 10 月 17 日的記錄，這宗申請共牽涉 1 名「現行土地擁有人」<sup>#</sup>。

(b) The applicant 申請人 -

- has obtained consent(s) of ..... "current land owner(s)"<sup>#</sup>.  
已取得 1 名「現行土地擁有人」<sup>#</sup>的同意。

Details of consent of "current land owner(s)" <sup>#</sup> obtained 取得「現行土地擁有人」 <sup>#</sup> 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)
1	DD126 lot 1 S.L RP	09/10/2022

(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)"<sup>#</sup>  
 已通知 ..... 名「現行土地擁有人」<sup>#</sup>。

Details of the "current land owner(s)" <sup>#</sup> notified 已獲通知「現行土地擁有人」 <sup>#</sup> 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)<sup>#&</sup>  
 於 \_\_\_\_\_ (日/月/年)向每一名「現行土地擁有人」<sup>#</sup>郵遞要求同意書<sup>&</sup>

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)<sup>&</sup>  
 於 \_\_\_\_\_ (日/月/年)在指定報章就申請刊登一次通知<sup>&</sup>
- posted notice in a prominent position on or near application site/premises on \_\_\_\_\_ (DD/MM/YYYY)<sup>&</sup>  
 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<sup>&</sup>
- sent notice to relevant owners' corporation(s)/owners' committee(s)/mutual aid committee(s)/management office(s) or rural committee on \_\_\_\_\_ (DD/MM/YYYY)<sup>&</sup>  
 於 \_\_\_\_\_ (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<sup>&</sup>

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	
<input type="checkbox"/>	Type (i) Change of use within existing building or part thereof 第(i)類 更改現有建築物或其部分內的用途
<input checked="" type="checkbox"/>	Type (ii) Diversion of stream / excavation of land / filling of land / filling of pond as required under Notes of Statutory Plan(s) 第(ii)類 根據法定圖則《註釋》內所要求的河道改道/挖土/填土/填塘工程
<input type="checkbox"/>	Type (iii) Public utility installation / Utility installation for private project 第(iii)類 公用事業設施裝置/私人發展計劃的公用設施裝置
<input type="checkbox"/>	Type (iv) Minor relaxation of stated development restriction(s) as provided under Notes of Statutory Plan(s) 第(iv)類 略為放寬於法定圖則《註釋》內列明的發展限制
<input type="checkbox"/>	Type (v) Use / development other than (i) to (iii) above 第(v)類 上述的(i)至(iii)項以外的用途/發展

Note 1: May insert more than one 「✓」.  
註 1: 可在多於一個方格內加上「✓」號

Note 2: For Development involving columbarium use, please complete the table in the Appendix.  
註 2: 如發展涉及靈灰安置用途, 請填妥於附件的表格。

(i) For Type (i) application 供第(i)類申請			
(a) Total floor area involved 涉及的總樓面面積	sq.m 平方米		
(b) Proposed use(s)/development 擬議用途/發展	(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)		
(c) Number of storeys involved 涉及層數		Number of units involved 涉及單位數目	
(d) Proposed floor area 擬議樓面面積	Domestic part 住用部分 .....	sq.m 平方米	<input type="checkbox"/> About 約
	Non-domestic part 非住用部分 .....	sq.m 平方米	<input type="checkbox"/> About 約
	Total 總計 .....	sq.m 平方米	<input type="checkbox"/> About 約
(e) Proposed uses of different floors (if applicable) 不同樓層的擬議用途(如適用) (Please use separate sheets if the space provided is insufficient) (如所提供的空間不足, 請另頁說明)	Floor(s) 樓層	Current use(s) 現時用途	Proposed use(s) 擬議用途

**(i) Box Type (ii) application 供第(ii)類申請**

(a) Operation involved 涉及工程

Diversion of stream 河道改道

Filling of pond 填塘  
 Area of filling 填塘面積 ..... 10,045 ..... sq.m 平方米  About 約  
 Depth of filling 填塘深度 ..... 2.5 ..... m 米  About 約

Filling of land 填土  
 Area of filling 填土面積 ..... sq.m 平方米  About 約  
 Depth of filling 填土厚度 ..... m 米  About 約

Excavation of land 挖土  
 Area of excavation 挖土面積 ..... sq.m 平方米  About 約  
 Depth of excavation 挖土深度 ..... m 米  About 約

(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)  
 (請用圖則顯示有關土地/池塘界線, 以及河道改道、填塘、填土及/或挖土的細節及/或範圍))

(b) Intended use/development 有意進行的用途/發展

擬議填塘以作準許的  
 農業用途(魚塘養殖)

**(ii) Box Type (iii) application 供第(iii)類申請**

(a) Nature and scale 性質及規模

Public utility installation 公用事業設施裝置

Utility installation for private project 私人發展計劃的公用設施裝置

Please specify the type and number of utility to be provided as well as the dimensions of each building/structure, where appropriate  
 請註明有關裝置的性質及數量, 包括每座建築物/構築物(倘有)的長度、高度和闊度

Name/type of installation 裝置名稱/種類	Number of provision 數量	Dimension of each installation /building/structure (m) (LxWxH) 每個裝置/建築物/構築物的尺寸 (米)(長x闊x高)

(Please illustrate on plan the layout of the installation 請用圖則顯示裝置的布局)

**(iv) For Type (iv) application 供第(iv)類申請**

(a) Please specify the proposed minor relaxation of stated development restriction(s) and also fill in the proposed use/development and development particulars in part (v) below –

請列明擬議略為放寬的發展限制並填妥於第(v)部分的擬議用途/發展及發展細節 –

- Plot ratio restriction 地積比率限制 From 由 ..... to 至 .....
- Gross floor area restriction 總樓面面積限制 From 由 .....sq. m 平方米 to 至 .....sq. m 平方米
- Site coverage restriction 上蓋面積限制 From 由 .....% to 至 .....
- Building height restriction 建築物高度限制  
From 由 .....m 米 to 至 ..... m 米  
From 由 ..... mPD 米 (主水平基準上) to 至 .....mPD 米 (主水平基準上)  
From 由 ..... storeys 層 to 至 ..... storeys 層
- Non-building area restriction 非建築用地限制 From 由 .....m to 至 ..... m
- Others (please specify) 其他 (請註明): .....

**(v) For Type (v) application 供第(v)類申請**

(a) Proposed use(s)/development 擬議用途/發展

(Please illustrate the details of the proposal on a layout plan 請用平面圖說明建議詳情)

**(b) Development Schedule 發展細節表**

- Proposed gross floor area (GFA) 擬議總樓面面積 ..... sq.m 平方米  About 約
- Proposed plot ratio 擬議地積比率 .....  About 約
- Proposed site coverage 擬議上蓋面積 ..... %  About 約
- Proposed no. of blocks 擬議座數 .....
- Proposed no. of storeys of each block 每座建築物的擬議層數 ..... storeys 層  
 include 包括 ..... storeys of basements 層地庫  
 exclude 不包括 ..... storeys of basements 層地庫
- Proposed building height of each block 每座建築物的擬議高度 ..... mPD 米(主水平基準上)  About 約  
..... m 米  About 約

Domestic part 住用部分

GFA 總樓面面積 ..... sq. m 平方米  About 約

number of Units 單位數目 .....

average unit size 單位平均面積 ..... sq. m 平方米  About 約

estimated number of residents 估計住客數目 .....

Non-domestic part 非住用部分

GFA 總樓面面積

eating place 食肆 ..... sq. m 平方米  About 約

hotel 酒店 ..... sq. m 平方米  About 約

(please specify the number of rooms  
請註明房間數目) .....

office 辦公室 ..... sq. m 平方米  About 約

shop and services 商店及服務行業 ..... sq. m 平方米  About 約

Government, institution or community facilities  
政府、機構或社區設施 (please specify the use(s) and concerned land  
area(s)/GFA(s) 請註明用途及有關的地面面積/總  
樓面面積)

.....

.....

other(s) 其他 (please specify the use(s) and concerned land  
area(s)/GFA(s) 請註明用途及有關的地面面積/總  
樓面面積)

.....

.....

Open space 休憩用地 (please specify land area(s) 請註明地面面積)

private open space 私人休憩用地 ..... sq. m 平方米  Not less than 不少於

public open space 公眾休憩用地 ..... sq. m 平方米  Not less than 不少於

(c) Use(s) of different floors (if applicable) 各樓層的用途 (如適用)

[Block number] [座數]	[Floor(s)] [層數]	[Proposed use(s)] [擬議用途]
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

(d) Proposed use(s) of uncovered area (if any) 露天地方 (倘有) 的擬議用途

.....

.....

.....

.....

7. Anticipated Completion Time of the Development Proposal  
擬議發展計劃的預計完成時間

Anticipated completion time (in month and year) of the development proposal (by phase (if any)) (e.g. June 2023)  
擬議發展計劃預期完成的年份及月份 (分期 (倘有)) (例: 2023 年 6 月)  
(Separate anticipated completion times (in month and year) should be provided for the proposed public open space and Government, institution or community facilities (if any))  
(申請人須就擬議的公眾休憩用地及政府、機構或社區設施 (倘有) 提供個別擬議完成的年份及月份)

規劃批准後三個月內完成。

8. Vehicular Access Arrangement of the Development Proposal  
擬議發展計劃的行人車通道安排

<p>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          No 否</p>	<p><input checked="" 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)) 天華路經小路到貨</p> <p><input 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>Any provision of parking space for the proposed use(s)? 是否有為擬議用途提供停車位?</p>	<p>Yes 是          No 否</p>	<p><input type="checkbox"/> (Please specify type(s) and number(s) and illustrate on plan) 請註明種類及數目並於圖則上顯示)</p> <p>Private Car Parking Spaces 私家車車位 _____</p> <p>Motorcycle Parking Spaces 電單車車位 _____</p> <p>Light Goods Vehicle Parking Spaces 輕型貨車泊車位 _____</p> <p>Medium Goods Vehicle Parking Spaces 中型貨車泊車位 _____</p> <p>Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 _____</p> <p>Others (Please Specify) 其他 (請列明) _____</p> <p>_____</p> <p>_____</p> <p><input checked="" type="checkbox"/></p>
<p>Any provision of loading/unloading space for the proposed use(s)? 是否有為擬議用途提供上落客貨車位?</p>	<p>Yes 是          No 否</p>	<p><input type="checkbox"/> (Please specify type(s) and number(s) and illustrate on plan) 請註明種類及數目並於圖則上顯示)</p> <p>Taxi Spaces 的士車位 _____</p> <p>Coach Spaces 旅遊巴車位 _____</p> <p>Light Goods Vehicle Spaces 輕型貨車車位 _____</p> <p>Medium Goods Vehicle Spaces 中型貨車車位 _____</p> <p>Heavy Goods Vehicle Spaces 重型貨車車位 _____</p> <p>Others (Please Specify) 其他 (請列明) _____</p> <p>_____</p> <p>_____</p> <p><input checked="" type="checkbox"/></p>



## 10. 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。

漁塘面積: 17,045平方米

填深: 2.5米

填塘面積: 10,045平方米

填塘物料: 純泥土

**養殖池:** 生產由9個10米x 50米長方形養殖魚池組成，配合管理系統和水質處理生物科學技術，每個養殖池處理不同時候功能所需，包括：魚苗監控、大小分類、感染隔離、清池消毒等工作，確保生產穩定及每月持續性供應。

**污水處理池:** 生產過程中會有大量養殖污水排放，所以我們會做好周邊環境保護，所有養魚水必須經過過濾後才會排出，而部分我們再會用生物過濾消毒後再循環使用，確保節約用水，環保零污染。

**儲水池:** 儲備每天養殖魚池所需更換的新鮮水源，每個養殖魚池每天更換5-10%新水，提高水體溶氧，減少亞摩尼亞(ammonia)及氮化物(nitrate)等廢物，提升優良的養殖環境。

**吊水及出貨區:** 魚群成長至具有市場價值的體積時，魚群便需被移送到載有鹽水及內置紫外光設備的吊水魚缸(Cleansing Chamber)內，這樣過程確保活魚在出市場前，排放體內外有害細菌及有害物質，同時可清除淡水魚肉質的泥味及提升魚鮮味，吊水需時7天便可由漁車送往市場。

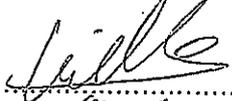
**事原:** 現有的魚塘水面面積過大，並不適合現今的低成本高收穫的養魚技術，也不適合現今的低耗能環保養魚法，而且原魚塘經過多年的棄置已做成魚塘壘塌陷做成危險。

**11. 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

  
.....  
鄧君正

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

10/10/2022

(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。

**For Developments involving Columbarium Use, please also complete the following:**  
如發展涉及靈灰安置所用處，請另外填妥以下資料：

Ash interment capacity 骨灰安放容量<sup>@</sup>

Maximum number of sets of ashes that may be interred in the niches

在龕位內最多可安放骨灰的數量

Maximum number of sets of ashes that may be interred other than in niches

在非龕位的範圍內最多可安放骨灰的數量

Total number of niches 龕位總數

Total number of single niches

單人龕位總數

Number of single niches (sold and occupied)

單人龕位數目 (已售並佔用)

Number of single niches (sold but unoccupied)

單人龕位數目 (已售但未佔用)

Number of single niches (residual for sale)

單人龕位數目 (待售)

Total number of double niches

雙人龕位總數

Number of double niches (sold and fully occupied)

雙人龕位數目 (已售並全部佔用)

Number of double niches (sold and partially occupied)

雙人龕位數目 (已售並部分佔用)

Number of double niches (sold but unoccupied)

雙人龕位數目 (已售但未佔用)

Number of double niches (residual for sale)

雙人龕位數目 (待售)

Total no. of niches other than single or double niches (please specify type)

除單人及雙人龕位外的其他龕位總數 (請列明類別)

Number of niches (sold and fully occupied)

龕位數目 (已售並全部佔用)

Number of niches (sold and partially occupied)

龕位數目 (已售並部分佔用)

Number of niches (sold but unoccupied)

龕位數目 (已售但未佔用)

Number of niches (residual for sale)

龕位數目 (待售)

Proposed operating hours 擬議營運時間

<sup>@</sup> Ash interment capacity in relation to a columbarium means -

就靈灰安置所而言，骨灰安放容量指：

- the maximum number of containers of ashes that may be interred in each niche in the columbarium;  
每個龕位內可安放的骨灰容器的最高數目；
- the maximum number of sets of ashes that may be interred other than in niches in any area in the columbarium; and  
在該靈灰安置所並非龕位的範圍內，總共最多可安放多少份骨灰；以及
- the total number of sets of ashes that may be interred in the columbarium.  
在該骨灰安置所內，總共最多可安放多少份骨灰。

**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畫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	DD126 lot 1 S.L RP (Part)		
Site area 地盤面積	17,045	sq. m 平方米	<input checked="" type="checkbox"/> About 約
	(includes Government land of 包括政府土地	sq. m 平方米	<input type="checkbox"/> About 約)
Plan 圖則	S/YL - LFS/11		
Zoning 地帶	自然保育區		
Applied use/ development 申請用途/發展	擬議填塘以作準許的 農業用途 (魚塘養殖)		
(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	<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
(ii) No. of block 幢數	Domestic 住用		
	Non-domestic 非住用		
	Composite 綜合用途		

(iii) Building height/No. of storeys 建築物高度/層數	Domestic 住用	<input type="checkbox"/> m 米 (Not more than 不多於)
		<input type="checkbox"/> mPD 米(主水平基準上) (Not more than 不多於)
		<input type="checkbox"/> Storeys(s) 層 (Not more than 不多於) ( <input type="checkbox"/> Include 包括/ <input type="checkbox"/> Exclude 不包括 <input type="checkbox"/> Carport 停車間 <input type="checkbox"/> Basement 地庫 <input type="checkbox"/> Refuge Floor 防火層 <input type="checkbox"/> Podium 平台)
	Non-domestic 非住用	<input type="checkbox"/> m 米 (Not more than 不多於)
		<input type="checkbox"/> mPD 米(主水平基準上) (Not more than 不多於)
		<input type="checkbox"/> Storeys(s) 層 (Not more than 不多於) ( <input type="checkbox"/> Include 包括/ <input type="checkbox"/> Exclude 不包括 <input type="checkbox"/> Carport 停車間 <input type="checkbox"/> Basement 地庫 <input type="checkbox"/> Refuge Floor 防火層 <input type="checkbox"/> Podium 平台)
	Composite 綜合用途	<input type="checkbox"/> m 米 (Not more than 不多於)
		<input type="checkbox"/> mPD 米(主水平基準上) (Not more than 不多於)
		<input type="checkbox"/> Storeys(s) 層 (Not more than 不多於) ( <input type="checkbox"/> Include 包括/ <input type="checkbox"/> Exclude 不包括 <input type="checkbox"/> Carport 停車間 <input type="checkbox"/> Basement 地庫 <input type="checkbox"/> Refuge Floor 防火層 <input type="checkbox"/> Podium 平台)
(iv) Site coverage 上蓋面積	<input type="checkbox"/> % <input type="checkbox"/> About 約	
(v) No. of units 單位數目		
(vi) Open space 休憩用地	Private 私人	<input type="checkbox"/> sq.m 平方米 <input type="checkbox"/> Not less than 不少於
	Public 公眾	<input type="checkbox"/> sq.m 平方米 <input type="checkbox"/> Not less than 不少於

(vii) 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)	
	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)	

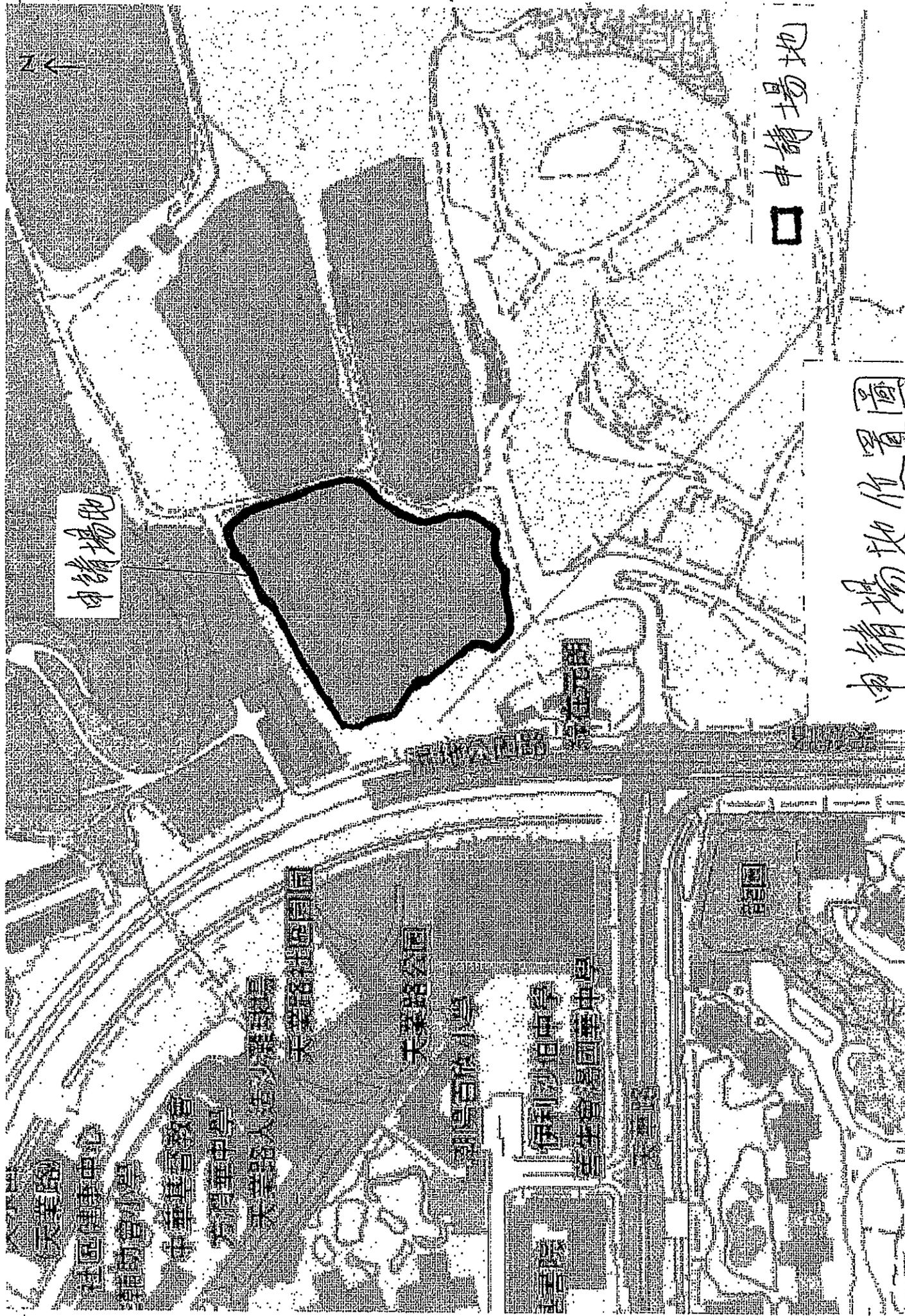
**Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件**

	Chinese 中文	English 英文
<b>Plans and Drawings 圖則及繪圖</b>		
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) 申請場地位置圖, 填塘範圍圖	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Reports 報告書</b>		
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.

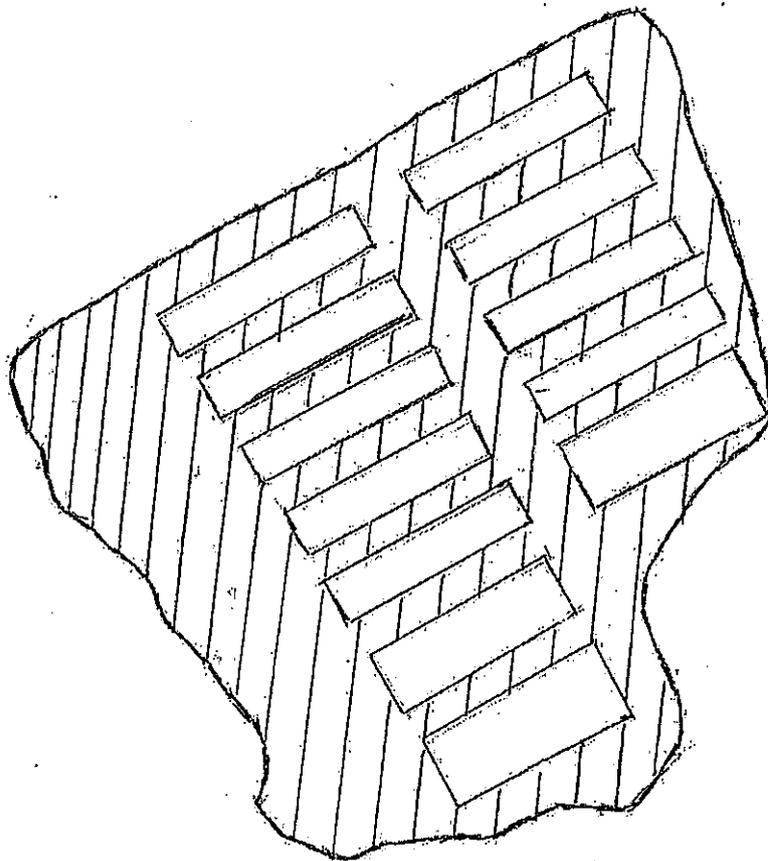
註：上述申請摘要的資料是由申請人提供以方便市民大眾參考。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。



申請場地

口 申請場地

申請場地位置圖

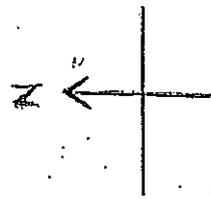


圖例

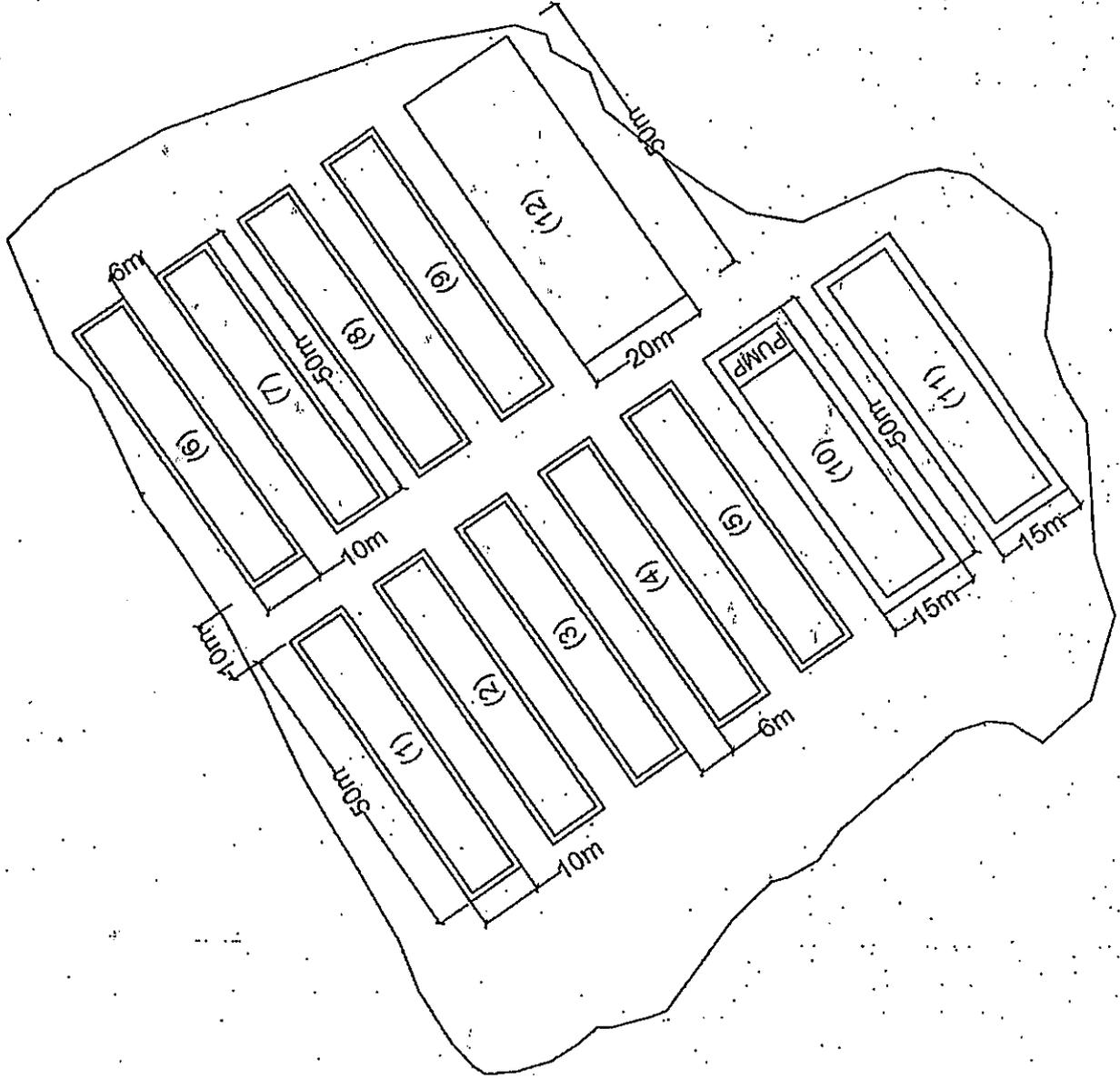
 申請場地

 填塘範圍

填塘範圍圖



- [11] - [9] 養魚池
- [10] 儲水池
- [11] 污水處理池
- [12] 吊水及出貨區



佈局設計圖

Scale: 1 : 1000 (A3)

自然保育區

第一欄 經常准許的用途	第二欄 須先向城市規劃委員會申請，可能在有附帶條件或無附帶條件下獲准的用途
農業用途(只限魚塘養殖) 自然保護區 農地住用構築物 濕地生境 野生動物保護區	郊野學習／教育／遊客中心 政府垃圾收集站 政府用途(未另有列明者) 屋宇(只限重建) 自然教育徑 公廁設施 公用專業設施裝置 私人發展計劃的公用設施裝置

規劃意向

此地帶的規劃意向，是保存濕地和魚塘的生態價值。這些濕地和魚塘是濕地生態系統不可或缺的部分。對於此地帶內的任何用途改變，當局會採納「不會有濕地淨減少」的原則來處理。主要的規劃意向是，除非必須進行發展以助保護濕地生態系統完整，或者是絕對基於公眾利益而必須進行的基礎設施項目，否則地帶內不准進行新發展。

備註

- (a) 任何現有屋宇的重建，包括改動及／或修改，不得引致整個重建計劃超過在有關中期發展審批地區圖的公告在憲報首次刊登該日已經存在的屋宇的地積比率、上蓋面積和建築物高度。
- (b) 在有關中期發展審批地區圖的公告於憲報首次刊登該日或以後，如未取得城市規劃委員會根據《城市規劃條例》第 16 條批給的許可，不得進行或繼續進行任何填土／填塘或挖土工程，包括為改作上文第一欄和第二欄所列的任何用途或《註釋》說明頁所經常准許的用途或發展(由政府統籌或落實的公共工程，以及保養、修葺或翻建工程除外)而進行或繼續進行者。

# 資料補充

## 10. 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。

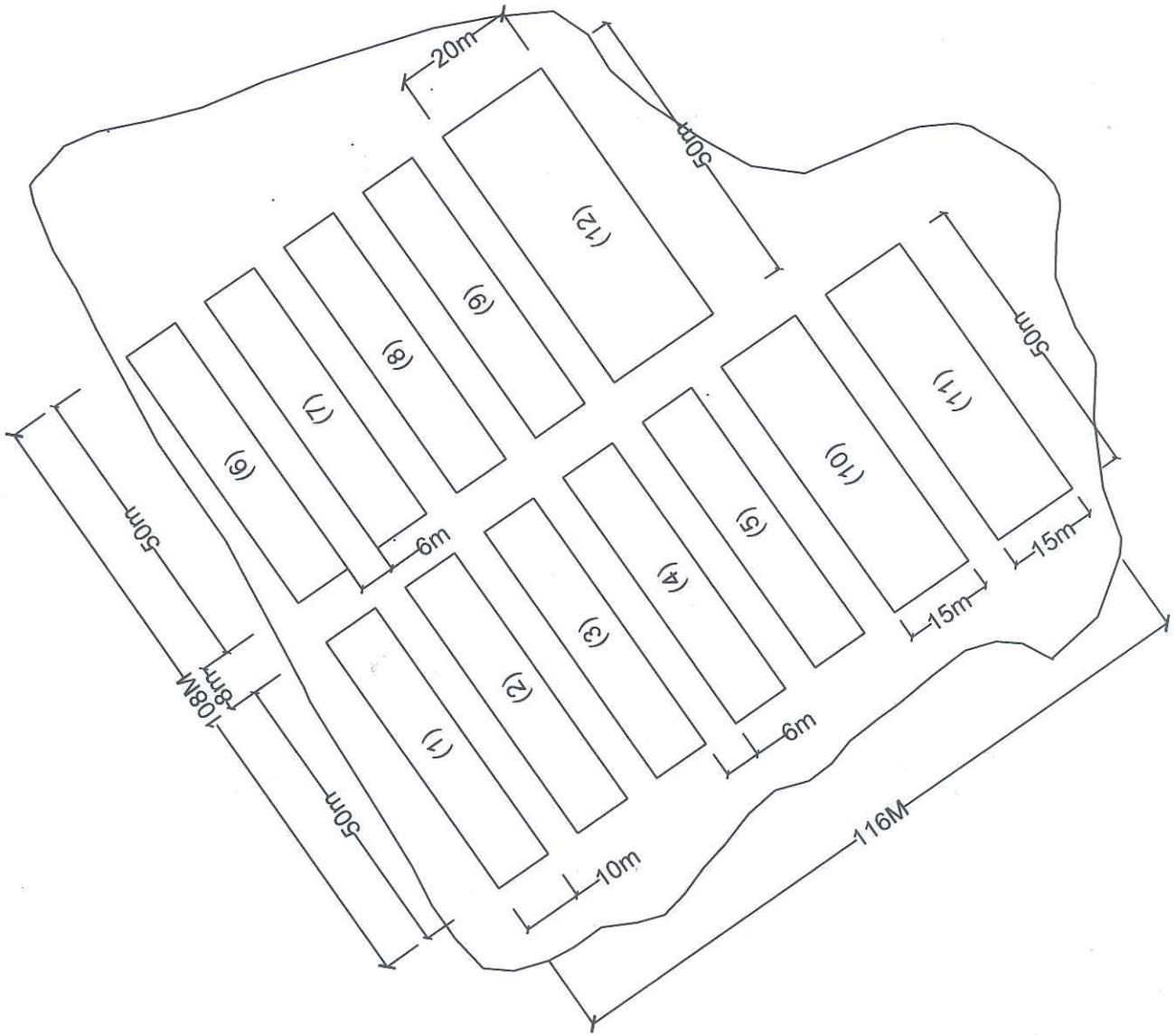
- 1.) 附件1是填塘位置的佈局設計圖，附有尺寸指標。
- 2.) 附件2是填坭土入漁塘的圖，內附有兩種不同深度的填法，2.5米深度的位置是填坭成陸地，面積共10,045平方米。吊水區位置則填坭土深度1.5米，面積是1000平方米，保留此區域有1米深水位。
- 3.) 附件3 魚車到集位有大貨出貨的位置。
- 4.) 附件4 車輛進入及離開申請場地的指示圖，見箭咀指示。
- 5.) 在填土工程進行期間的三個月裡，只有在中段即第2個月是泥頭車造出的高峰期，若每日150架次。頭尾兩個月則若每日80架次。
- 6.) 在填土工程期間的主要造出車輛為泥頭車，即運坭車。
- 7.) 由於吊水區域要填深1.5米，所以總體填塘面積由原本的10,045平方米改為11,045平方米。
- 8.) 日後一般出入的魚車車長約17呎，闊約8呎。

[1]-[9] 養魚池

[10] 儲水池

[11] 污水處理池

[12] 吊水及出貨區



### 佈局設計圖

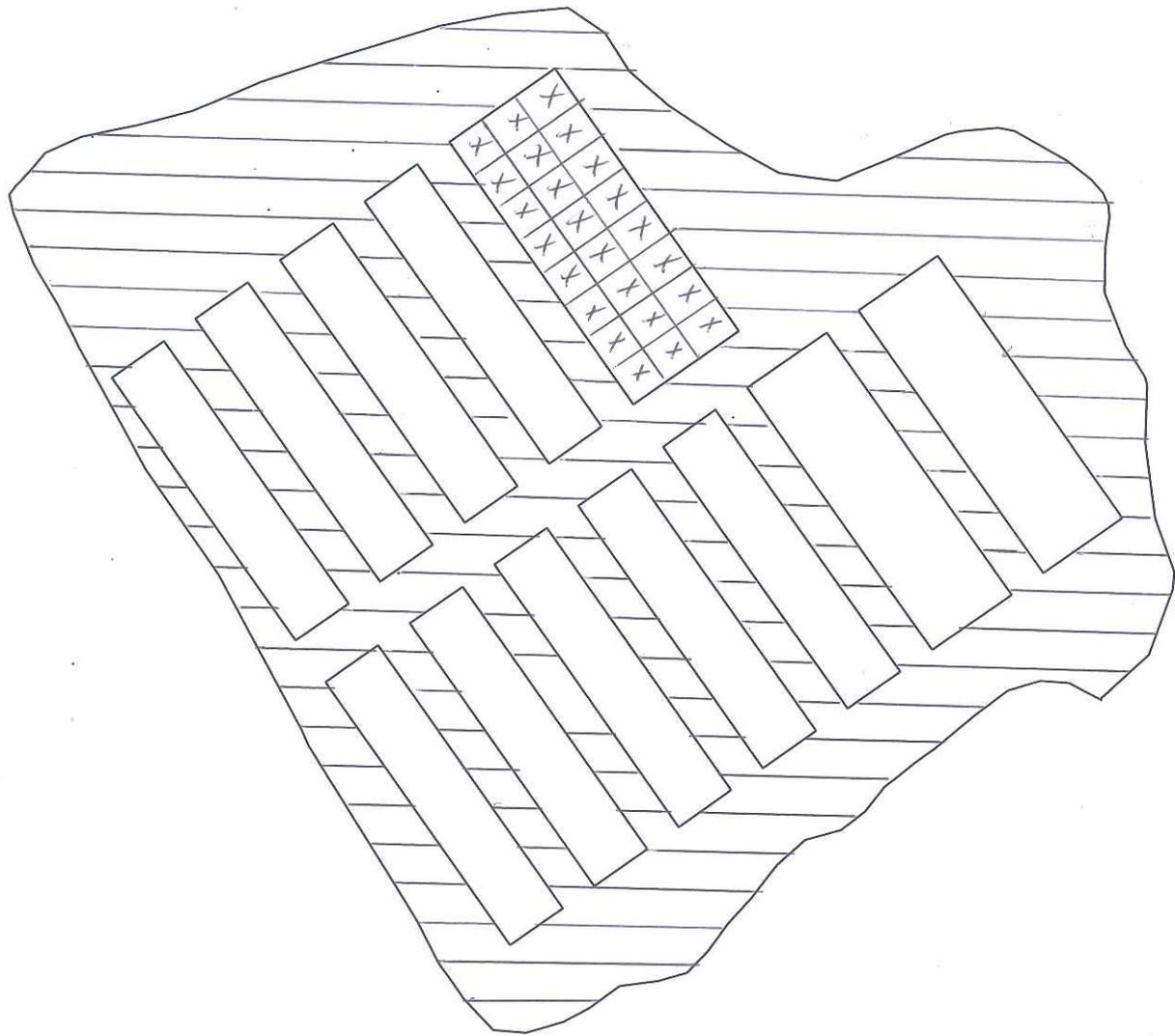
Scale: 1 : 1000 (A3)

附件 1

——填深 2.5 米

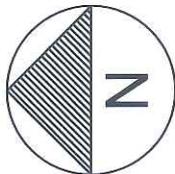


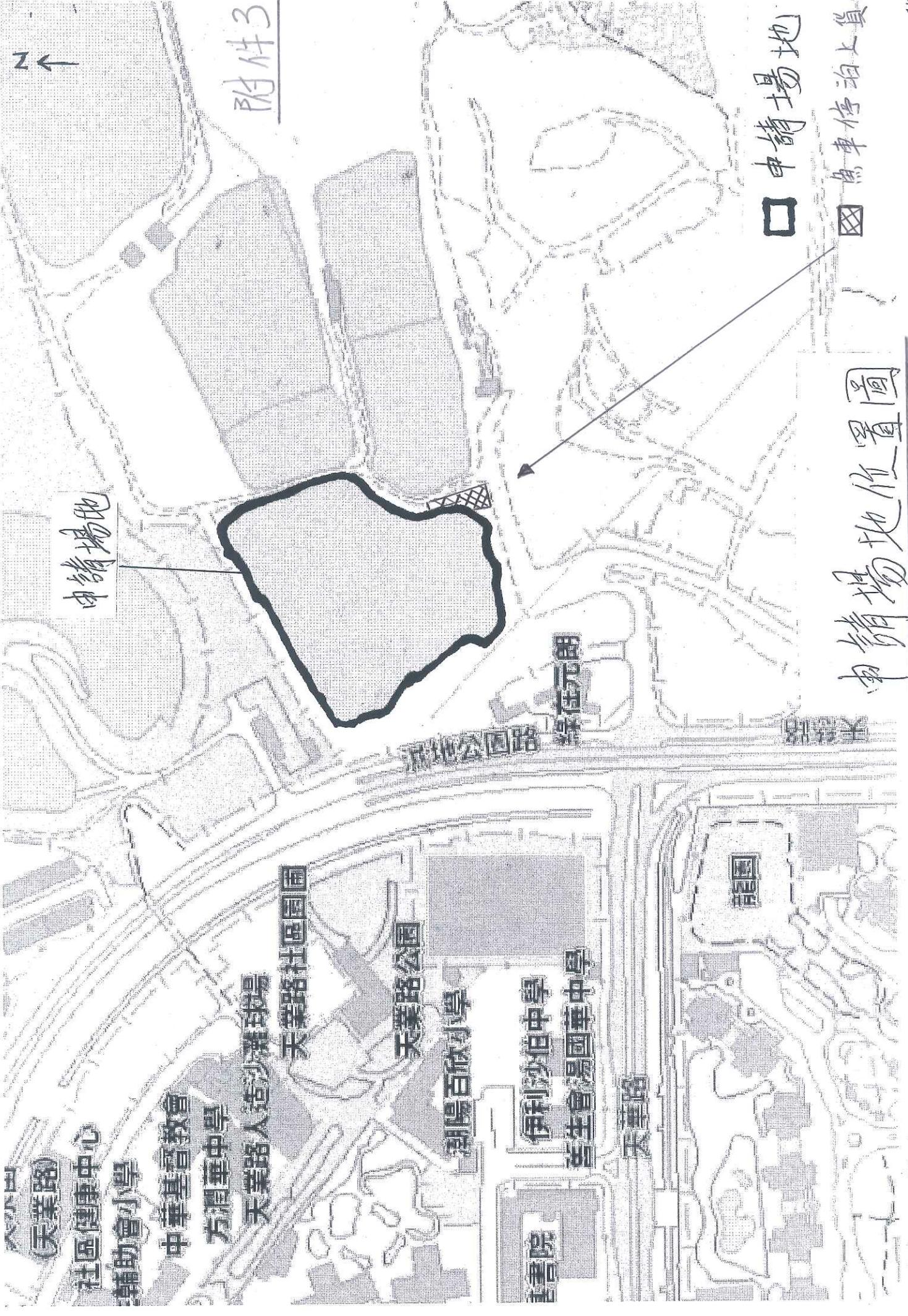
——填深 1.5 米



# 填塘範圍圖

Scale: 1 : 1000 (A3)





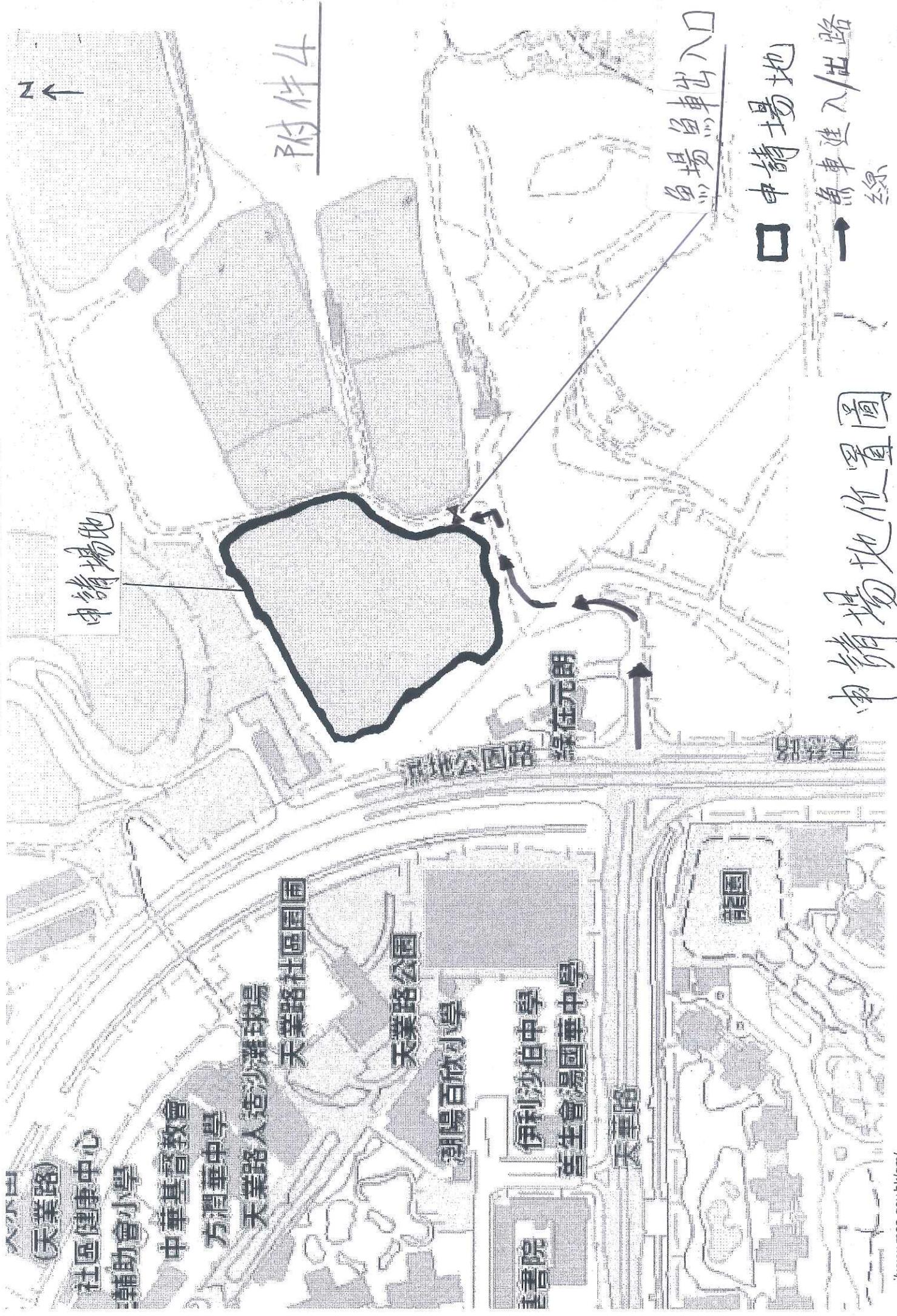
附件3

申請場地

申請場地

魚車停泊上貨處

申請場地位置圖



附件4

魚場魚車出入口

申請場地

魚車進入/出路

申請場地位置圖



**Previous s.16 Application covering the Application Site**

**Rejected Application**

	<b><u>Application No.</u></b>	<b><u>Applied Use(s)/Development(s)</u></b>	<b><u>Zoning(s)</u></b>	<b><u>Date of Consideration (RNTPC)</u></b>	<b><u>Rejection Reasons</u></b>
1	A/YL-LFS/48	Proposed Pond Filling	CA	28.1.2000	(1) to (4)

**Rejection Reasons:**

- (1) Not in line with the planning intention.
- (2) Not comply with TPB PG-No. 12B.
- (3) No information to demonstrate no adverse ecological, drainage and environmental impact.
- (4) Setting undesirable precedent.

**Similar s.16 Application  
within the same “Conservation Area” Zone  
on the Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan**

**Rejected Application**

	<b><u>Application No.</u></b>	<b><u>Applied Use(s)/Development(s)</u></b>	<b><u>Zoning(s)</u></b>	<b><u>Date of Consideration (RNTPC)</u></b>	<b><u>Rejection Reasons</u></b>
1	A/YL-LFS/69	Proposed Pond Filling	CA	7.7.2001	(1) to (3)

**Rejection Reasons:**

- (1) Not comply with TPB PG-No. 12B.
- (2) Insufficient information to demonstrate no adverse ecological, drainage, environmental, and visual and landscape impacts.
- (3) Setting undesirable precedent.



長春社 Since 1968

The Conservancy Association

會址: 香港新界葵涌貨櫃碼頭路 77-81 號 Magnet Place 一期十三樓 1305-6 室 電話 Tel.:(852)2728 6781 傳真 Fax.:(852)2728 5538  
Add.: Units 1305-6, 13/F, Tower 1, Magnet Place, 77-81 Container Port Road, Kwai Chung, New Territories, H.K. 電子郵件 E-mail:cahk@cahk.org.hk  
網址 Website:www.cahk.org.hk

2<sup>nd</sup> December 2022

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/YL-LFS/448

The Conservancy Association (CA) would express some concerns on the captioned application.

The application site is currently zoned “Conservation Area” which is “to conserve the ecological value of the wetland and fish ponds which form an integral part of the wetland ecosystem. The “no-net-loss in wetland” principle is adopted for any change in use within this zone. The primary intention is to discourage new development unless it is required to support the conservation of the ecological integrity of the wetland ecosystem or the development is any essential infrastructure project with overriding public interest”. The site is also within Wetland Conservation Area (WCA) according to TPB PG-No.12C. Any works within the area should be strictly evaluated. However, we note that some issues have not been clearly clarified and addressed in this stage. Further information should be included in this application.

Initially we would highlight some of the concerns:

- i. Not in line with “no-net-loss in wetland” principle: The proposed pond filling would lead to direct loss in wetland, but we cannot see how such condition can fulfill the “no-net-loss in wetland” which refer to both loss in “area” and “function”.



長春社 Since 1968

## The Conservancy Association

會址: 香港新界葵涌貨櫃碼頭路 77-81 號 Magnet Place 一期十三樓 1305-6 室 電話 Tel.:(852)2728 6781 傳真 Fax.:(852)2728 5538  
Add.: Units 1305-6, 13/F, Tower 1, Magnet Place, 77-81 Container Port Road, Kwai Chung, New Territories, H.K. 電子郵件 E-mail:cahk@cahk.org.hk  
網址 Website:www.cahk.org.hk

- ii. Unclear filling materials: It is not clear what materials would be filled and where the materials would be transported to the application site. It is necessary to clarify this to evaluate if pond filling work would cause land pollution and contamination.
- iii. No details on the proposed use: No details are available to illustrate the proposed energy-efficient and environmentally-friendly fish culture practice. We are especially concerned that if additional supporting facilities would be necessary during operation, how these facilities resulted in any disturbance during both construction and operation phase.
- iv. Drainage impact: The application does not provide any information to justify that overland flow from would not be disrupted by the proposed pond filling and fish pond culture activities. We worry that the change of hydrology in the adjacent fish ponds which are also within WCA.
- v. Wastewater discharge: A wastewater treatment pond is proposed at the south of the site. It is unknown how the so-called wastewater would be treated and discharged. We worry that this pond, if not properly managed, would deteriorate adjacent pond water.

Yours faithfully,

Ng Hei Man

Campaign Manager

The Conservancy Association



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

By email only

1 December 2022

Dear Sir/Madam,

**Comments on the planning application for the proposed Filling of Pond for Permitted Agricultural Use (Fish Pond Culture) at Lau Fau Shan (A/YL-LFS/448)**

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

**1 High ecological sensitivity of the application site**

- 1.1 The application site is located within the CA zone, which is intended to “to conserve the ecological value of the wetland and fish ponds which form an integral part of the wetland ecosystem in the Deep Bay Area and function as a substantial source of food supply for birds and as an important habitat for roosting and foraging of waterbirds.”. Moreover, “the “no-net-loss in wetland” principle is adopted within this zone. “No-net-loss in wetland” can refer to both loss in area and function.’
- 1.2 The site also falls within the “Wetland Conservation Area” (WCA), which is “to conserve the ecological value of the fish ponds which form an integral part of the wetland ecosystem in the Deep Bay Area.”
- 1.3 Referring to the approved Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (No. S/YL-LFS/11), the general planning intention of the plan is to “to conserve the ecological value of the fish ponds which form an integral part of the wetland ecosystem in the Deep Bay Area. The existing and contiguous, active or abandoned fish ponds in the Deep Bay Area should all be conserved. Moreover, the loss of fish ponds and habitat fragmentation should be avoided and any negative impacts arising from undesirable land uses and



*human disturbance should be mitigated.”<sup>1</sup>*

- 1.4 From Google Earth photograph, the site is currently a pond connecting with wetlands within WCA (Figure 1). We consider the application site is ecological sensitive, and thus all the land use and habitat changes should be taken with great caution, so that the potential adverse impacts on wetland ecosystem could be avoided and minimized.
- 1.5 According to the information submitted by the applicant, pond filling of 11,045 m<sup>2</sup> of the site was proposed without any assessment on the environmental and ecological impacts. This will in fact lead to **a direct and permanent loss in wetland which is not in line with the “no-net-loss in wetland” principle** and the above planning intention of CA zone and WCA to conserve the ecological integrity of Deep Bay wetland. We urge the Town Planning Board (Board) to reject this application.

## **2 Set an undesirable precedent to the future development**

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

## **3 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*”; and (iii), the Board has the responsibility to “*control adjoining uses to minimise adverse impacts on conservation zones and optimise their conservation value*”. We note that all other Government bureaux/departments are also bound to the HKPSG, the Agriculture, Fisheries and Conservation Department (AFCD) and the Planning Department

<sup>1</sup> Section 8.3 of Explanatory Notes of the Approved Nam Sang Wai Outline Zoning Plan. Available at: [https://www2.ozp.tpb.gov.hk/plan/ozp\\_plan\\_notes/en/S\\_YL-NSW\\_8\\_e.pdf#nameddest=U](https://www2.ozp.tpb.gov.hk/plan/ozp_plan_notes/en/S_YL-NSW_8_e.pdf#nameddest=U)



(PlanD) has the responsibility to advise the Board on the ecological and planning aspects in particular<sup>2</sup>. Given AFCD's mission to conserve natural environment and safeguard the ecological integrity<sup>3</sup> 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 this application. Should AFCD, PlanD or the Board feels otherwise, we urge that the appropriate justifications are provided.

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

cc.  
The Conservancy Association  
Designing Hong Kong  
Kadoorie Farm and Botanic Garden  
WWF – Hong Kong  
Trailwatch

<sup>2</sup> AFCD Role of Department. Available at:  
[http://www.afcd.gov.hk/english/aboutus/abt\\_role/abt\\_role.html](http://www.afcd.gov.hk/english/aboutus/abt_role/abt_role.html)

<sup>3</sup> AFCD Vision and Mission. Available at:  
[http://www.afcd.gov.hk/english/aboutus/vision\\_mission/abt\\_vision\\_mission.html](http://www.afcd.gov.hk/english/aboutus/vision_mission/abt_vision_mission.html)

**Figure 1.** The Google Earth photograph in 2022 shows that there are ponds and wetlands at and near the application site (indicated by red line). The proposed **pond filling** will lead to a **direct and permanent loss in wetland** which is not in line with the above planning intention of CA zone and WCA to conserve the ecological integrity of Deep Bay wetlands.





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)

2nd December, 2022.

By email only

Dear Sir/ Madam,

**Proposed Filling of Pond for Permitted Agricultural Use (Fish Pond Culture)**  
**(A/YL-LFS/448)**

1. We refer to the captioned.
2. There is a rejected application for pond filling (A/YL-LFS/48) covering the current application site and the reasons for rejection are as follows:

(a) *The proposed development is not in line with the planning intention of the "Conservation Area" ("CA") zone which is to preserve and protect the existing natural characteristics and landscape of the area as well as the ecologically sensitive areas including the fish ponds. There is no strong justification in the submission for a departure from the planning intention;*

(b) *The proposed development, which falls within the Wetland Conservation Area (WCA), does not comply with the revised Town Planning Board Guidelines for "Application for Developments within Deep Bay Area" in that it is contrary to the intention of WCA to conserve the ecological value of the fish ponds which form an integral part of the wetland ecosystem in the Deep Bay Area, and there is no Ecological Impact Assessment or wetland compensation proposals in the submission to demonstrate that the proposed development would not result in, or be able to fully compensate for, the loss in wetland function;*

(c) *There is no information in the submission to demonstrate that the development would*

*not have adverse ecological, drainage and environmental impact on the surrounding areas; and*

*(d) The approval of the application would set an undesirable precedent for similar applications within the "CA" zone. The cumulative effect of approving such similar applications would have cumulative adverse impact on the ecological value and environment of the area.*

3. We urge the Board to discuss with Agriculture, Fisheries and Conservation Department (AFCD) as to whether/ how the proposed filling of pond would affect the ecological value of a pond.

4. We urge the Board, after consulting the AFCD, to seriously consider whether the approval of this application would affect the overall Deep Bay fish pond system which is considered to be of international conservation importance – approval of this application would set a precedent for similar cases and the Board should seriously consider the potential cumulative impact.

5. Thank you for your attention.

Ecological Advisory Programme  
Kadoorie Farm and Botanic Garden



**40 YEARS**  
OF ACTION FOR NATURE

世界自然基金會  
香港分會

WWF-Hong Kong

香港新界葵涌葵昌路 8 號  
萬泰中心 15 樓  
15/F, Manhattan Centre  
8 Kwai Cheong Road  
Kwai Chung, N.T., Hong Kong

電話 Tel: +852 2526 1011  
傳真 Fax: +852 2845 2764  
wwf@wwf.org.hk  
wwf.org.hk

2 December 2022

**Chairman and members  
Town Planning Board**  
15/F North Point Government Offices,  
333 Java Road, North Point, Hong Kong  
(E-mail: [tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk))

**By E-mail ONLY**

Dear Sir/Madam,

**Re: Proposed Filling of Pond for Permitted Agricultural Use (Fish Pond Culture)  
in "Conservation Area" in Lau Fau Shan & Tsim Bei Tsui in Yuen Long  
(A/YL-LFS/448)**

WWF would like to lodge an objection to the captioned proposal.

**Ecological Impact Assessment is needed**

As the application site falls within the Wetland Conservation Area (WCA), the applicant should comply with the revised Town Planning Board Guidelines for "Application for Developments within Deep Bay Area" (TPB PG-No.12C) by conducting and submitting an Ecological Impact Assessment and/or compensation proposals to demonstrate that the captioned proposal would not result in, or would be able to compensate for, any disturbance impact on the ecological integrity and ecological value of the fish ponds within the Deep Bay Area. It is not possible to justify the potential impact of pond filling or make a decision to approve or deny the captioned proposal without an Ecological Impact Assessment.

The applicant should also provide information to show that the captioned proposal would not have adverse ecological, drainage or environmental impact on the surrounding areas.

**Planning intention of "Conservation Area" ("CA") zoning**

The application site falls within an area zoned "Conservation Area" ("CA") under

**together possible™**

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

義務核數師：香港立信德豪會計師事務所有限公司  
義務公司秘書：嘉信秘書服務有限公司  
義務司庫：匯豐銀行  
註冊慈善機構

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

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

Approved Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan No. S/YL-LFS/11. The planning intention of this zone is *"to conserve the ecological value of wetland and fish ponds which form an integral part of the wetland ecosystem."* An Ecological Impact Assessment is needed in order to ensure that ecological value of the fish pond in question is conserved and the planning intention of "CA" zone is achieved.

We would be grateful if our comments could be considered by the Town Planning Board and the captioned proposal rejected.

Yours faithfully,

Cynthia Tung

Policy Analyst, WWF-Hong Kong

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



**A/YL-LFS/448 DD 126 Lau Fau Shan Conservation**  
02/12/2022 01:50

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

A/YL-LFS/448

Lot 1 S.L RP (Part) in D.D. 126, Lau Fau Shan

Site area: About 17,045sq.m

Zoning: "Conservation Area"

Applied development: Filling of Pond

Dear TPB Members,

Strongest objections. This is a divide to conquer application, Destroy to Build by stealth.

Already a number of pond in the area have been filled in. The decreasing number of large ponds certainly has a negative impact on the migratory path of birds and on the conservation intention of the district. The water expanse and its role in the ecosystem would be reduced considerably.

*The applicant contends that the size of the current pond is too large for fish culture practice nowadays, and therefore proposes **to fill about 11,045m<sup>2</sup> (or about 65%) of the Site** with soil of about 1.5m to 2.5m in depth.*

Members must reject this application as being totally incompatible with both the planning intention and the local environment.

Mary Mulvihill

**Recommended Advisory Clauses**

- (a) to resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (b) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the Site comprises an 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.
- (c) to note the comments of the Commissioner for Transport (C for T) that sufficient space with the Site should be provided for maneuvering of vehicles. In addition, no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period. The Site is connected to the public road network (Tin Wah Road) via a local unnamed access road which is not managed by Transport Department. The land status of the access road should be checked with LandsD. Moreover, the management and maintenance responsibilities of that local access road should be clarified with the relevant lands and maintenance authorities accordingly;
- (d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains. The access road connecting the Site with Tin Wah Road is not and will not be maintained by HyD. HyD should not be responsible for maintaining any access connecting the Site with Tin Wah Road;
- (e) to note the comments of the Director of Environmental Protection (DEP) that since the proposed development falls within the “Conservation Area” zone, the applicant should take note of the designated project requirements under Item Q.1, Part I of Schedule 2 of the Environmental Impact Assessment Ordinance (EIAO). Should the proposed development constitute a designated project under the EIAO, the relevant statutory procedures should be followed and Environmental Permit is required for the construction and operation of the proposed development. The Site should not be filled with construction waste. The Recommended Pollution Control Clauses for Construction Contracts ([https://www.epd.gov.hk/epd/english/environmentinhk/eia\\_planning/guide\\_ref/rpc.html](https://www.epd.gov.hk/epd/english/environmentinhk/eia_planning/guide_ref/rpc.html)) should be followed to minimise the environmental impacts during the construction stage; and
- (f) to note the comments of the Chief Building Surveyor/New Territories West, BD (CBS/NTW, BD) that:
  - (i) 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;
  - (ii) 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;
  - (iii) before any new building works including filling of land are to be carried out on the Site, prior approval and consent of the Building Authority should be obtained,

otherwise they are unauthorized building works (UBW) under the Buildings Ordinance (BO). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;

- (iv) for UBW erected on leased land, enforcement action may be taken by the Buildings Department 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; and
- (v) detailed checking under the BO will be carried out at building plan submission stage.