

2022年 12月 1日

此文件在_____收到。城市規劃委員會
只會在收到所有必要的資料及文件後才正式確認收到
申請的日期。

1 DEC 2022

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

Form No. S16-III
表格第 S16-III 號

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

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

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

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

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

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

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

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

General Note and Annotation for the Form

填寫表格的一般指引及註解

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

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

& Please attach documentary proof 請夾附證明文件

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

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

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

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

2203114 25/11 by hand

Form No. S16-III 表格第 S16-III 號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/YL-PH/936
	Date Received 收到日期	1 DEC 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/ipb/>. 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/ipb/>)。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)

Tang Yau Kee Construction Engineering 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)

BMI Appraisals Limited

3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼(如適用)	Lot Nos. 371RP, 373(Part) and 385 in D.D. 110, Pat Heung, Yuen Long, New Territories, Hong Kong
(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 4,763 sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 306.25 sq.m 平方米 <input checked="" type="checkbox"/> About 約
(c) Area of Government land included (if any) 所包括的政府土地面積(倘有)	..... 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	Approved Pat Heung Outline Zoning Plan S/YL-PH/11
(e) Land use zone(s) involved 涉及的土地用途地帶	Agriculture & Open Storage
(f) Current use(s) 現時用途	Temporary Open Storage of Construction Materials and Machinery with Ancillary Office erected thereon (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 at29/11/2022..... (DD/MM/YYYY), this application involves a total of4..... "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 15/9/2022 (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 (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 (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[&]

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	(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 type="checkbox"/> year(s) 年 <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	.....sq.m <input type="checkbox"/> About 約
Proposed covered land area 擬議有上蓋土地面積	.....sq.m <input type="checkbox"/> About 約
Proposed number of buildings/structures 擬議建築物/構築物數目	.....
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	.....sq.m <input type="checkbox"/> About 約
Proposed gross floor area 擬議總樓面面積	.....sq.m <input 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)	
.....	
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	.....
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	.....
Medium Goods Vehicle Spaces 中型貨車車位	.....
Heavy Goods Vehicle Spaces 重型貨車車位	.....
Others (Please Specify) 其他 (請列明)	.....

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

	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) 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)
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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/YL-PH / 825
(b) Date of approval 獲批給許可的日期	17/01/2020 (DD 日/MM 月/YYYY 年)
(c) Date of expiry 許可屆滿日期	28/01/2023 (DD 日/MM 月/YYYY 年)
(d) Approved use/development 已批給許可的用途/發展	Temporary Open Storage of Construction Materials and Machinery with Ancillary Office
(e) Approval conditions 附帶條件	<input type="checkbox"/> The permission does not have any approval condition 許可並沒有任何附帶條件 <input checked="" type="checkbox"/> Applicant has complied with all the approval conditions 申請人已履行全部附帶條件 <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： Reason(s) for non-compliance: 仍未履行的原因： (Please use separate sheets if the space above is insufficient) (如以上空間不足，請另頁說明)
(f) Renewal period sought 要求的續期期間	<input checked="" type="checkbox"/> year(s) 年 3 <input type="checkbox"/> month(s) 個月

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。

*No night-time operation between 6:00pm and 8:00am on the Application Site.

*No operation on Sundays & public holidays on the Application Site.

*No heavy goods vehicles exceedings 24 tonnes for the operation of the Application Site.

*No dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the Application Site.

*No vehicle shall queue back to or reverse onto/from public road.

*Similar applications for other nearby sites were approved recently, which demonstrated that the surrounding area is suitable for open storage purpose.

(For details, please refer to the attached planning statement.)

8. Declaration 聲明

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

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

Signature
簽署

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

Lawrence Lee

Manager

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 ... RICS 皇家特許測量師學會

on behalf of
代表

BMI Appraisals Limited

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

Date 日期

25/11/2022

(DD/MM/YYYY 日/月/年)

Remark 備註

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

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

Warning 警告

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

任何人在明知或故意的情況下，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 available at the Planning Enquiry Counters of the Planning Department for general information.)

(請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及於規劃署規劃資料查詢處供一般參閱。)

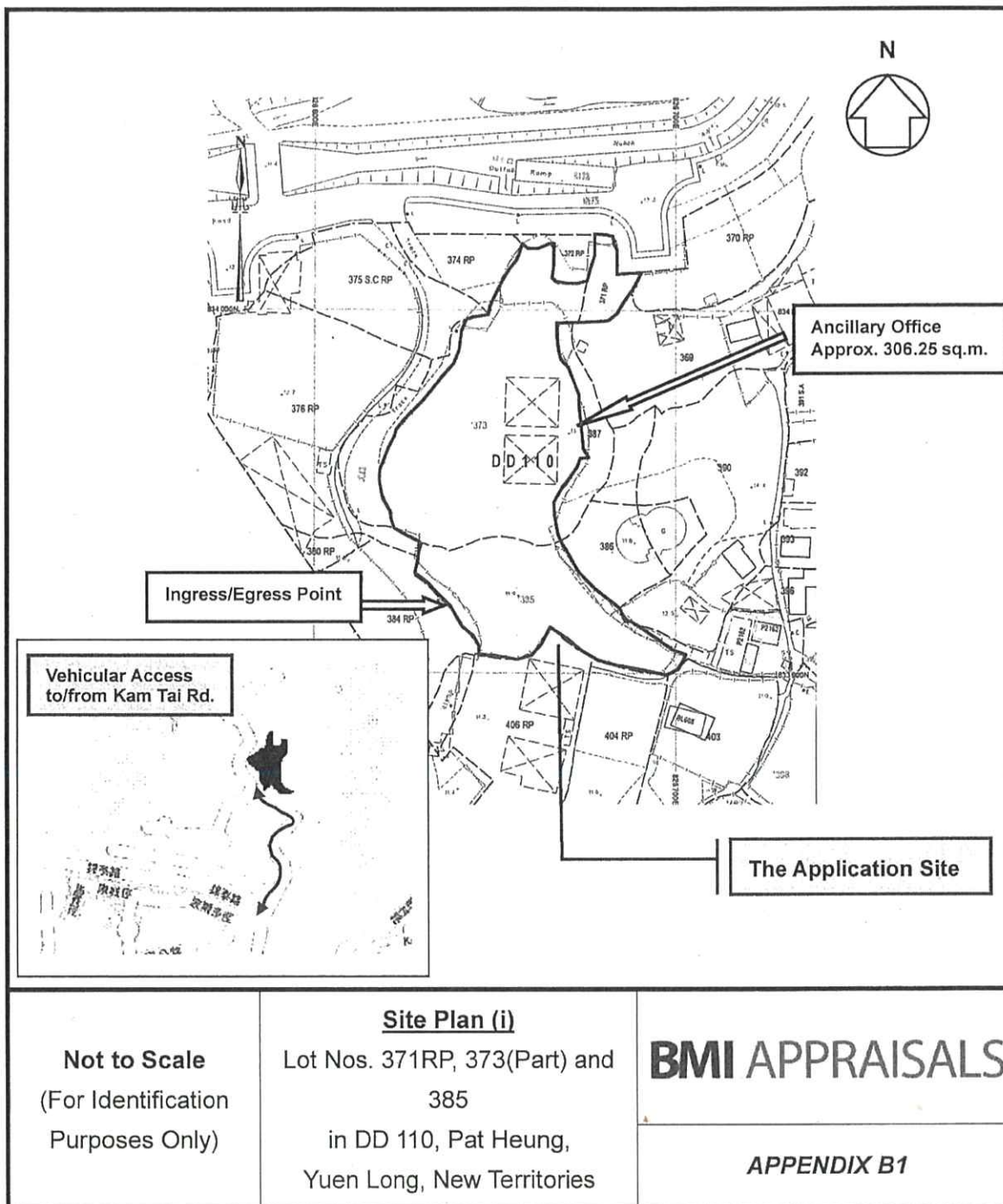
Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)	
Location/address 位置/地址	新界元朗八鄉丈量約份第110約地段第371號餘段、第373號(部分)及第385號 Lots 371 RP, 373 (Part) and 385 in D.D. 110, Pat Heung, Yuen Long, New Territories	
Site area 地盤面積	4,763 (includes Government land of 包括政府土地	sq. m 平方米 <input checked="" type="checkbox"/> About 約 sq. m 平方米 <input type="checkbox"/> About 約)
Plan 圖則	八鄉分區計劃大綱核准圖編號 S/YL-PH/11 Approved Pat Heung Outline Zoning Plan No. S/YL-PH/11	
Zoning 地帶	「農業」及「露天貯物」 "Agriculture" and "Open Storage"	
Type of Application 申請類別	<input 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 _____ <input type="checkbox"/> Month(s) 月 _____ <input checked="" 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 checked="" type="checkbox"/> Year(s) 年 3 _____ <input type="checkbox"/> Month(s) 月 _____	
Applied use/ development 申請用途/發展	臨時露天存放建築材料和機械連附屬辦公室用途的規劃許可續期(為期3年) Renewal of Planning Approval for Temporary Open Storage of Construction Materials and Machinery with Ancillary Office for a Period of 3 Years	

(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	306.25 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
(ii) No. of block 幢數	Domestic 住用		
	Non-domestic 非住用	2	
(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	<div style="text-align: right;">m 米</div> <input type="checkbox"/> (Not more than 不多於)	
		<div style="text-align: right;">Storeys(s) 層</div> <input type="checkbox"/> (Not more than 不多於)	
	Non-domestic 非住用	<div style="text-align: right;">m 米</div> <input type="checkbox"/> (Not more than 不多於)	
		<div style="text-align: right;">Storeys(s) 層</div> <input type="checkbox"/> (Not more than 不多於)	
(iv) Site coverage 上蓋面積	<div style="text-align: right;">%</div> <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) _____ _____		
	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		
	<u>Chinese</u> 中文	<u>English</u> 英文
<u>Plans and Drawings 圖則及繪圖</u>		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
Location plan, site plan and copy of identification of categories plan		
<u>Reports 報告書</u>		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input checked="" 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。



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Tang Yau Kee Construction Engineering Limited_G2979_T21606 (FS251消防證書2022)

07/12/2022 15:43

From: <jho@
To: <pplngan@pland.gov.hk>
File Ref:

2 attachments



FS251消防證書2022 (Pg1).pdf FS251消防證書2022 (Pg2).pdf

Dear Mr. Ngan,

The certificates mentioned are as attached, thank you.

Best Regards,

Jonathan Ho

BMI Appraisals Limited

Direct: : Fax:

E-mail: ;

Website:

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FIRE SERVICE (INSTALLATIONS AND EQUIPMENT) REGULATIONS

消防(裝置及設備)規例
(Regulation 9(1))
(第九條(1)款)

Serial Number

FSD Ref.:

消防處編號

CERTIFICATE OF FIRE SERVICE INSTALLATION AND EQUIPMENT

消防裝置及設備證書

Name of Client 顧客姓名

華佑發展有限公司

Address 地址

新界元朗八鄉 丈量約份第110約地段 第371號餘段 第373號(部份)及385號



Type of Building 樓宇類型: ☐ Industrial 工業 ☐ Commercial 商業 ☐ Domestic 住宅 ☐ Composite 綜合 ☒ Licensed premises 持牌處所 ☐ Institutional 社團

Part 1 Annual Maintenance ONLY

第一部 只適用於年檢事項

In accordance with Regulation 8(b) of the Fire Service (Installations and Equipment) Regulations, the owner of any fire service installation or equipment which is installed in any premises shall have such fire service installation or equipment inspected by a registered contractor at least once in every 12 months. 根據消防(裝置及設備)規例第八條(b)款，擁有裝置在任何處所內的任何消防裝置或設備的人，須每12個月由一名註冊承辦商檢查該等消防裝置或設備至少一次。

Code 編碼 (1-35)	Type of FSI 裝置類型	Location(s)位置	Comment on Condition 狀況評述	Completion Date 完成日期 (DD/MM/YYYY)	Next Due Date 下次到期日 (DD/MM/YYYY)
24	5kgco2手提滅火筒X7	貨倉內	符合消防處規定	31/05/2022	30/05/2023
	NIL				

Part 2 第二部 Installation / Modification / Repair / Inspection works 裝置/改裝/修理/檢查工作

Code 編碼 (1-35)	Type of FSI 裝置類型	Location(s)位置	Nature of Work Carried out 完成之工作內容	Comment on Condition 狀況評述	Completion Date 完成日期 (DD/MM/YYYY)
	NIL				
	NIL				

Part 3 第三部 Defects 損壞事項

Code 編碼 (1-35)	Type of FSI 裝置類型	Location(s)位置	Outstanding Defects 未修缺點	Comment on Defects 缺點評述
	NIL			
	NIL			

Remark 備註

I/We hereby certify that the above installations/equipment have been tested and found to be in efficient working order in accordance with the Codes of Practice for Minimum Fire Service Installations and Equipment and Inspection, Testing and Maintenance of Installations and Equipment published from time to time by the Director of Fire Services. Defects are listed in Part 3.

本人藉此證明以上之消防裝置及設備經試驗，證明性能良好，符合消防處處長不時公佈的最低限度之消防裝置及設備之檢查測試及保養守則的規格，損壞事項列於第三部。

如證書涉及年檢事項，應張貼於大廈或處所當眼處以供消防處人員查核

This certificate should be displayed at prominent location of the building or premises for FSD's inspection if any annual maintenance work is involved.

Authorized
Signature:
受權人簽署

Name:
姓名

陳志成

FSD/RC No.

消防處註冊號碼

Company Name:

公司名稱

CHAN Chi-shing

Telephone:

聯絡電話

Date:

日期

31/05/2022

For FSD
use only

Inspected

Key-in

Verified



FIRE SERVICE (INSTALLATIONS AND EQUIPMENT) REGULATIONS

FSD Ref.:

消防處編號

消防(裝置及設備)規例

(Regulation 9(1))

(第九條(1)款)

CERTIFICATE OF FIRE SERVICE INSTALLATION AND EQUIPMENT

消防裝置及設備證書

Serial Number

Name of Client 顧客姓名

華佑發展有限公司

Address 地址

元朗八鄉 丈量約份第110約地段 第371號餘段 第373號(部份)及385號

Type of Building 樓宇類型: ☐ Industrial 工業 ☐ Commercial 商業 ☐ Domestic 住宅 ☒ Composite 綜合 ☐ Licensed premises 持牌處所 ☐ Institutional 社團

Part 1 Annual Maintenance ONLY

第一部 只適用於年檢事項

In accordance with Regulation 8(b) of the Fire Service (Installations and Equipment) Regulations, the owner of any fire service installation or equipment which is installed in any premises shall have such fire service installation or equipment inspected by a registered contractor at least once in every 12 months. 根據消防(裝置及設備)規例第八條(b)款, 擁有裝置在任何處所內的任何消防裝置或設備的人, 須每12個月由一名註冊承辦商檢查該等消防裝置或設備至少一次。

Code 編碼 (1-35)	Type of FSI 裝置類型	Location(s) 位置	Comment on Condition 狀況評述	Completion Date 完成日期 (DD/MM/YYYY)	Next Due Date 下次到期日 (DD/MM/YYYY)
11	應急照明燈 X6	貨倉, 寫字樓及廁所	符合消防處規定	31/05/2022	30/05/2023
12	出口指示牌X6	貨倉及寫字樓	符合消防處規定	31/05/2022	30/05/2023

Part 2 第二部 Installation / Modification / Repair / Inspection works 裝置/改裝/修理/檢查工作

Code 編碼 (1-35)	Type of FSI 裝置類型	Location(s) 位置	Nature of Work Carried out 完成之工作內容	Comment on Condition 狀況評述	Completion Date 完成日期 (DD/MM/YYYY)
	NIL				
	NIL				

Part 3 第三部 Defects 損壞事項

Code 編碼 (1-35)	Type of FSI 裝置類型	Location(s) 位置	Outstanding Defects 未修缺點	Comment on Defects 缺點評述
	NIL			
	NIL			

Remark 備註

I/We hereby certify that the above installations/equipment have been tested and found to be in efficient working order in accordance with the Codes of Practice for Minimum Fire Service Installations and Equipment and Inspection, Testing and Maintenance of Installations and Equipment published from time to time by the Director of Fire Services. Defects are listed in Part 3.

本人/我們特此證明以上之消防裝置及設備經試驗, 證明性能良好, 符合消防處處長不時公佈之最低限度之消防裝置及設備守則與裝置及設備之檢查測試及保養守則的規格, 損壞事項列於第三部。

如證書涉及年檢事項, 應張貼於大廈或處所當眼處以供消防處人員查核

This certificate should be displayed at prominent location of the building or premises for FSD's inspection if any annual maintenance work is involved.

Authorized Signature:

受權人簽署

Name:

姓名

咪上夕

FSD/RC No.:

消防處註冊號碼

Company Name:

公司名稱

港消集團有限公司

Telephone:

聯絡電話

Date:

日期

31/05/2022

For FSD use only

Inspected

Key-in

Verified



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Supplementary Information for S.16 Application (Reference No. YL-PH/936)

09/12/2022 18:20

From: <jho@
To: <tpbpd@pland.gov.hk>
Cc: <cyfpang@pland.gov.hk>, <pplngan@pland.gov.hk>
File Ref:

3 attachments



YL-PH 936 FSI submission full with cover letter.pdf YL-PH 936 f.pdf YL-PH 936 g (combined).pdf

Dear Sir/Madam,

I am writing to submit supplementary information as discussed this afternoon for the S.16 Application (Reference No. YL-PH/936). Thank you for your attention.

Best Regards,

Jonathan Ho

BMI Appraisals Limited

Direct: Fax:

E-mail:

Website:

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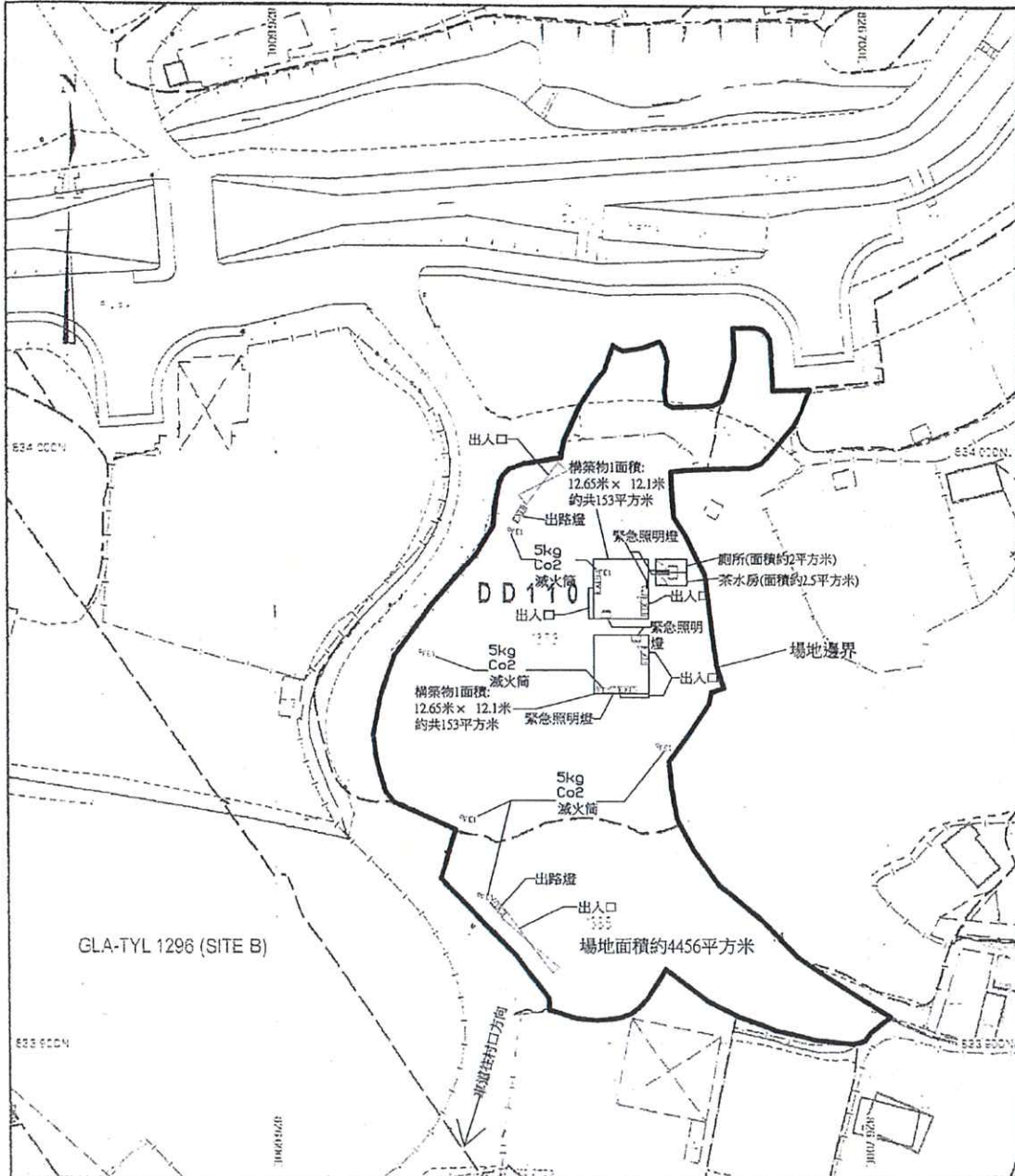
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消防裝置設備位置圖

Ref: TPB/A/YL-PH/936

Date: 9/12/2022



圖例	
EXIT	出路燈
	緊急照明燈
°FE1	5kg Co2 滅火筒
	出入口
	建築物

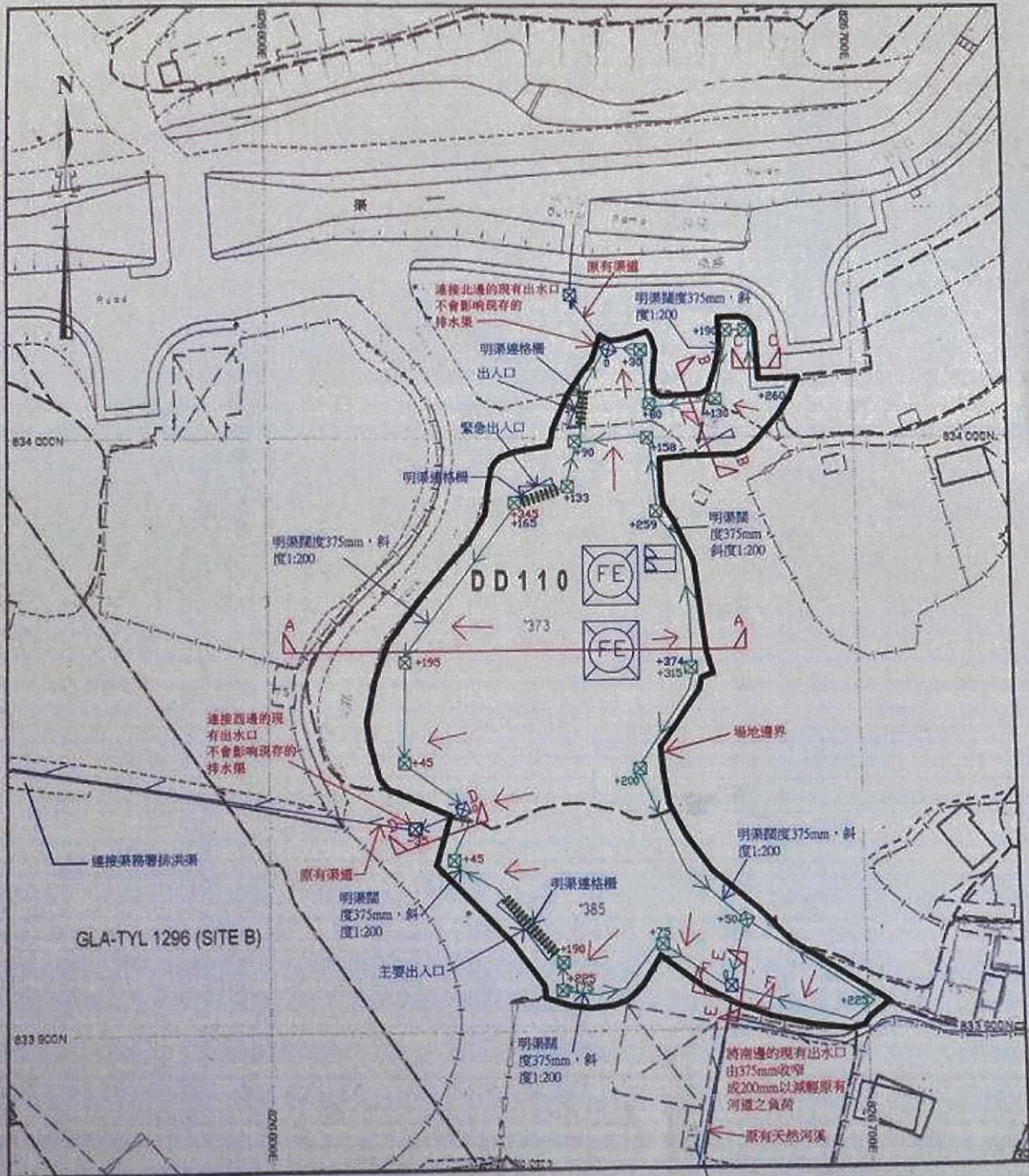
SCALE 1:1000
metres 10 0 10 20 30 40 50 metres

5kg Co2 滅火筒 合共7支
出路燈 合共6支
緊急照明燈 合共6支

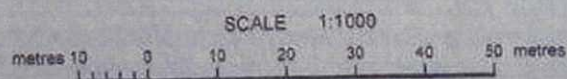
發展地盤排水渠平面圖

Ref: TPB/A/YL-PH/936

Date: 9/12/2022



圖例	
	沙井
	明渠及流水方向
	地面流水方向
	出入口
	構築物
	明渠連格柵



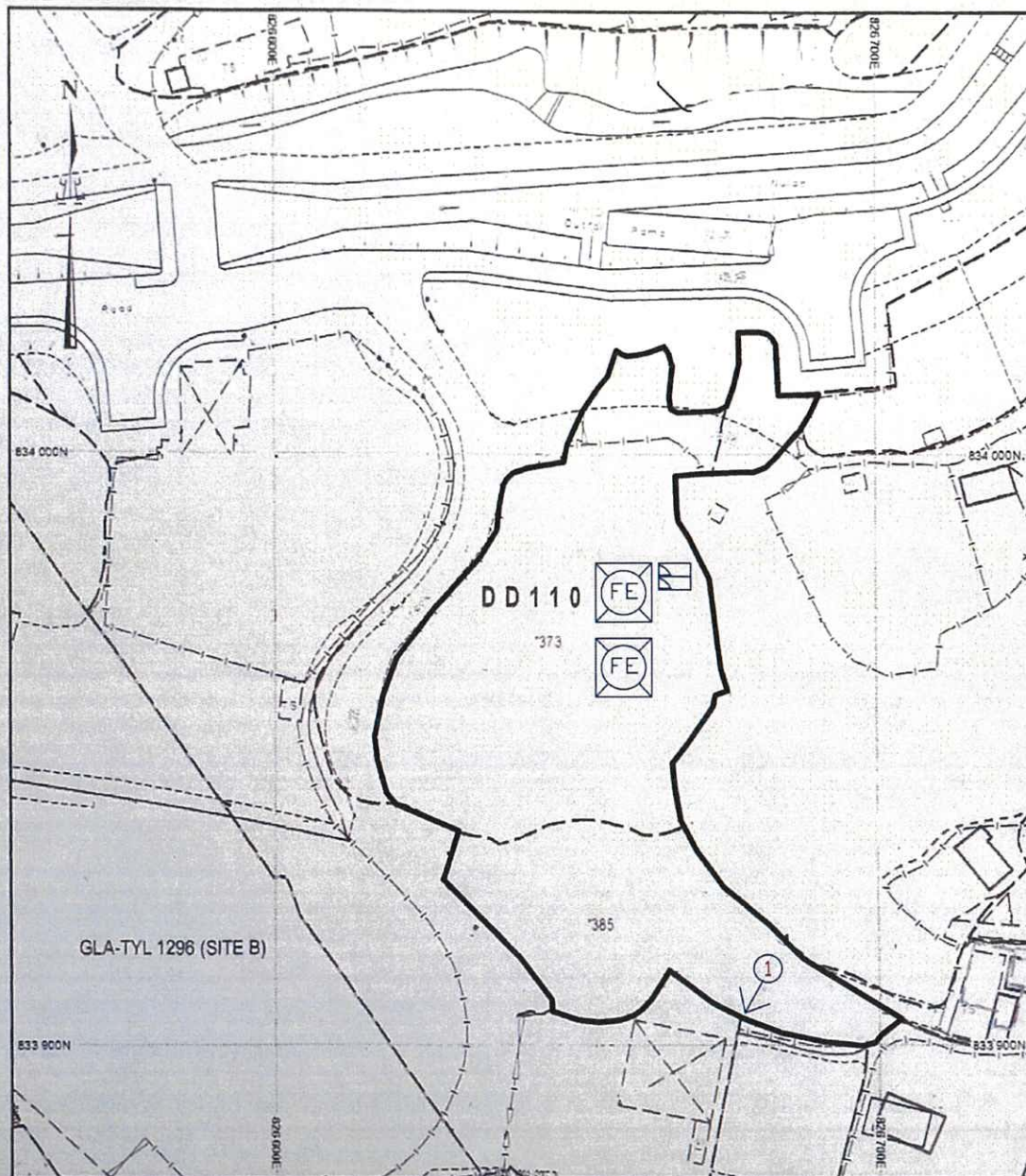
附注:

南邊出水口收窄成200mm闊，以減輕河道下游的負擔。

渠道相片位置圖

Ref: TPB/A/YL-PH/936

Date : 9/12/2022



SCALE 1:1000

metres 10 0 10 20 30 40 50 metres



BMI APPRAISALS

PLANNING STATEMENT

In respect of

Temporary Open Storage of
Construction Materials and Machinery with Ancillary Office
For a Period of Three years in
Lot Nos. 371RP, 373(Part) and 385
in Demarcation District No. 110,
Pat Heung, Yuen Long,
New Territories,
Hong Kong

Date : 25 November 2022
Our Reference : T21606/OS16071P/6848

BMI APPRAISALS

EXECUTIVE SUMMARY

- This section 16 application is submitted on behalf of Tang Yau Kee Construction Engineering Limited (the "Applicant"), in respect of Lot Nos. 371RP, 373(Part) and 385 in DD 110, Pat Heung, Yuen Long, New Territories, Hong Kong (the "Application Site") in seeking for renewal of the planning permission for temporary open storage of construction materials and machinery with ancillary office on the Application Site which is subject to an Approved Application No. A/YL-PH/825.
- The ultimate objective of this planning statement is to seek planning permission for a continual use of the above temporary open storage of construction materials and machinery with ancillary office for an additional period of three years.
- This planning statement is submitted to the Town Planning Board (the "Board") in providing background information and planning justifications in support of the above application for the planning permission for temporary open storage of construction materials and machinery with ancillary office on the Application Site which are essential for considerations by the Board.

報告摘要

- 此第 16 條規劃申請是就申請人鄧佑記建築工程有限公司("申請人")擬於香港新界元朗八鄉第 110 約地段第 371 號餘段, 373 號(部份)和 385 號("本申請地盤") 作臨時露天貯存建築材料及機械另設附屬辦公室用途之有關規劃申請續期, 為期三年。
- 本綱領的最終目的是欲在本申請地盤延續上述臨時露天貯存建築材料及機械另設附屬辦公室用途作為期三年的規劃許可之續期。
- 此規劃申請內附詳盡規劃陳述報告書, 並提供有關申請地點的背景資料、論點及理據予城市規劃委員會("城規會")審閱, 以支持擬於本申請地盤作臨時露天貯存建築材料及機械另設附屬辦公室用途之規劃許可申請, 陳述報告書之闡述內容並被視為給予城規會考慮有關申請的重要資料和理據。

BMI APPRAISALS

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1. INTRODUCTION

1.1 Aim

This section 16 application is submitted on behalf of Tang Yau Kee Construction Engineering Limited (the "Applicant"), in seeking for renewal of planning permission for temporary open storage of construction materials and machinery with ancillary office in Lot Nos. 371RP, 373(Part) and 385 in DD 110, Pat Heung, Yuen Long, New Territories, Hong Kong (the "Application Site").

1.2 Purpose

This planning statement is submitted to the Board in providing background information and planning justifications in support of an application for planning permission for a temporary storage of construction materials and machinery with ancillary office in the Application Site which are essential for considerations by the Board.

1.3 Background

The Application Site was the subject of a previously approved planning application (Application No. A/YL-PH/825). It was approved on **17 January 2020** by the Board under Section 16 of the Town Planning Ordinance for a period of 3 years subject to the following conditions:-

- (a) no operation between 6:00 p.m. and 8:00 a.m., as proposed by the Applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and Public Holidays, as proposed by the Applicant, is allowed on the Application Site during the planning approval period;
- (c) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailer, as defined in the Road Traffic Ordinance, are allowed to be stored/parked at or enter/exit the Application Site at any time during the planning approval period;

BMI APPRAISALS

- 2 -

- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the Application Site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of a drainage proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services of the TPB by 29 July 2020;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29 October 2020;
- (h) in relation to (g) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (i) the existing fire service installations implemented on the site should be maintained in efficient working order at all times during the planning approval period;
- (j) if any of the above planning conditions (a), (b), (c), (d), (e), (h) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning conditions (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon the expiry of the planning permission, the reinstatement of the site to an amenity are to the satisfaction of the Director of Planning of the TPB.

1.4 Key Objectives

The Application Site has been operated as temporary open storage use for construction materials and machinery by the Applicant since obtaining the approval in 2011 and then by its tenant since April 2013, together with the surrounding open storage business such as trading, repairing and storage of vehicle / machinery / scrap metals / products, the mode and pattern of business has been well-established in the locality. Planning permission for the current use on the Application Site has been obtained on 17 January 2020. Therefore, the ultimate objective of this planning statement is to seek planning permission for a continual operating and use of the temporary open storage in the Application Site for a period of further period of three years.

The current use has not caused and will not bring any environmental nuisance as the Applicant's tenant has already been running its business for over 9 years without any complaints from the neighbourhood. It is anticipated that all criterions laid down by the Government, the Explanatory Statement in the OZP and the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (commonly known as the "TPB PG-No. 13F") will continually be complied with.

1.5 Organization of the Statement Report

The statement report is divided into 6 sections. The first section is the introduction outlining the above aims and objectives of this planning statement and the planning application. Section 2 will then illustrate the site context and land status followed by Section 3 which describes the planning context in detail. Section 4 describes the proposed development followed up by a detailed account of justification of the proposed development on Section 5. The report finally concludes with a brief summary on Section 6.

2. SITE CONTEXT AND LAND STATUS

2.1 Location

The Application Site covers a total area of approximately 4,763 square metres and is situated on a private road to the northern side of Kam Tai Road branching off Kam Tin Road or Kong Tai Road within the area of Pat Heung, Yuen Long, New Territories, Hong Kong. To its southwestern side along Yau Fook Road are temporary structures occupied for storage of vehicle parts and construction materials.

(Please refer to the Location Plan in Appendix A.)

2.2 Existing Site Condition

Large portion of the Application Site (ie. Lot Nos. 373 & 385) has been transformed from agricultural land to paved open storage of construction materials. That portion of the Application Site has been fenced off by corrugated metal sheets; whereas, the remaining Lot No. 371RP is partly paved and partly rural in nature with wild vegetation. Erected on the site are two single-storey structures with pantry/toilet with a total floor area of approximately 306.25 sq.m. and not more than 7.62 metres in height. There are basically no change to the overall area and height of the structures on site.

2.3 Surrounding Land Uses

The surrounding area is predominantly low-lying flat land and is characterized by open storage of various different kinds ranging from storage of construction materials to used vehicle parts. Car reselling activities as well as warehouses and sheds are heavily concentrated along both Kam Tin Road and Kam Sheung Road. In addition, various construction sites for the Express Rail Link project are scattered around the locality.

2.4 Access

The Application Site has a good accessibility to strategic road network, which provides convenient access to Kowloon, other parts of New Territories and the cross boundary border. Vehicular access to the Application Site is via Kam Tai Road. It is a single-carriageway which connects with Pat Heung, Shek Kong and Kam Tin areas.

(Please refer to the Site Plan in Appendix B.)

2.5 Land Status and Ownership

As shown in para. 1.1 above and depicted in Appendix B, the Application Site covers three private lots. The Application Site has a total area of approximately 4,763 square metres.

According to the land search records of the Land Registry, the Application Site falls on Old Schedule Agricultural Lot governed by the Block Government Leases demised as agricultural use with lease terms of 75 years commencing on 1 July 1898 less three days and renewable for a further term of 24 years which have been extended to 30 June 2047 pursuant to Section 6 of the New Territories Leases (Extension) Ordinance (Cap.150). There are no user restrictions in the lease except the usual non-offensive trade clause. The current use does not contravene with the permissible land use under the lease.

3. PLANNING CONTEXT

3.1 Outline Zoning Plan

Most of the Application Site is located in the "Agriculture" zone whereas a small portion of southern part falls within the "Open Storage" zone on the Approved Pat Heung Outline Zoning Plan (OZP) No. S/YL-PH/11 exhibited on 27 October 2006. The Planning Intention of the "Agriculture" zone is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

As shown in the Schedule of Use under the "Agriculture" zone of the relevant OZP, "Open Storage Use" does not appear in either Column 1 (Uses always permitted) or Column 2 (Uses that may be permitted with or without conditions on application to the TPB) of the "Agriculture" zone.

(Please refer to the Extract Copy of the Schedule of Use in Appendix C.)

3.2 Precedent Cases

As mentioned in para. 1.3 above, the Application Site has been approved previously by the Board at its meeting on **17 January 2020** (Application No. A/YL-PH/825).

The Applicant has made genuine efforts in fulfilling all the planning conditions and all of which have been complied with. It is therefore anticipated that the approval granted by the Board for this application will not contravene with the legislation and guidelines as outlined in the TPB PG-No. 13F.

In addition, similar precedent cases were found within the area and are summarized as follows:-

Application No.	Applied Use	Approved on
A/YL-KTS/879	Temporary Open Storage of Vehicles, Construction Materials/Prefabrication Components and Temporary Site Office	23-7-2021
A/YL-KTN/790	Proposed Temporary Open Storage of Unlicensed Brand New Vehicles (Private Cars and Light Goods Vehicles)	12-11-2021
A/YL-KTS/912	Temporary Open Storage of Vehicles for Sale (Including New/Used Vehicles)	22-4-2022

3.3 Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses - TPB PG-No. 13F

The above guideline is relevant to this application and has been revised in October 2008. Under this guideline, the Board endorsed the strategy for considering applications for temporary open storage and port back-up uses in the rural New Territories through the identification of category 1-4 areas.

(Please refer to Copy of Identification of Categories Plan in Appendix D.)

As identified in Appendix D, the Application Site currently falls within an area annotated Category 3 and adjoining Category 2. In that connection, sympathetic consideration may be given if the applicants have demonstrated that the proposed use would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas, and willingness in compliance with approval conditions of the planning applications.

4. PROPOSED DEVELOPMENT

4.1 Proposed Use

There is **no material** change to the original layout scheme approved under Planning Application No. A/YL-PH/825.

(Please refer to the Photographs of the Application Site in Appendix E.)

4.2 Vehicular Access Arrangement

Vehicular access will be provided via a private paved road branching off from Kam Tai Road and the ingress/egress of 8 metres width has been situated at the eastern portion of the Application Site. In addition, the existing open track will be retained within the northern portion of the Application Site.

4.3 Operation of the Site

There will be no operation at night time between 6:00 p.m. and 8:00 a.m and no operation will be carried out on Sundays & Public Holidays. Goods delivered to the Application Site will be stored directly in the open storage area and will only be transported away on demand. On standard event, the goods are mostly stored at the Application Site and will remain stagnant. There will be No workshop/industrial/parts breaking/painting activities carried out in the Application Site.

5. JUSTIFICATIONS

5.1 No Departure from Local Planning Intention

The planning intention of the area is described in Section 3. Although the current use does not fall within either column 1 or 2, as stated in the Notes of the OZP, its temporary use in nature can still be considered by the Board by its submitted material consideration. Therefore, the planning application does not constitute to be in conflict with the local planning intention.

Moreover, as explained in the above paragraph, if the permission for this application is granted by the Board, the Government can still have full control of the Application Site after the permission expires. By then Agriculture zone can still be implemented should it be desired by any interested parties.

5.2 To Maximize the Use of Land Pending Development

Instead of merely retaining fallow arable land for rehabilitation, the Board should also consider the realistic situation of Shek Kong and Pat Heung. Due to the economic restructuring and sharp decline in agricultural activities, lots of farming areas within Shek Kong and Kam Tin have been abandoned or converted into semi-industrial use and open storage. A proliferation of building and construction materials yards and open storage of different kinds have infiltrated the area near the Application Site.

The Board should also realize that only a minimal of the local residents are committed to agriculture or livestock farming. A high proportion of residents live on contributions paid by their workable members of their family who live away from Kam Tin. Agricultural industry is considered to be a low profit and dirty "hands-on" industry which is also economically unviable. The cost of agriculture is high in respect of considerable amount of investments which have to be put on the services and maintenance on drainage systems, cost for fertilizers, seeds and clean water.

Overall, there is a general presumption that interest in engaging agricultural activities is minimal. As the market speaks for itself, it can be seen that no agricultural activities are found in the vicinity. Due to the rapid growth on tertiary industry, people nowadays do not consider farming as a sustainable and viable option.

The current open storage use is for a temporary basis only. It will take full advantage of the location and the physical state of the Application Site itself should planning permission be granted. It provides a short term solution for the much need open storage space for its particular business which cannot be done in the urban areas. The temporary nature of the proposed use allows flexibility without preempting the long term development potential and permanent land use of the Application Site.

5.3 Compatible with Surrounding Land Use

The current use is compatible with the surrounding land use. Various kinds of storages (in particular, construction materials and vehicle parts) are found in the vicinity of the Application Site.

5.4 In Line with the TPB Guideline

The current use is in-line with the TPB PG-No. 13F. As clearly shown in the guideline, the Application Site falls within an area annotated Category 3 and adjoining Category 2 area. 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, planning permission could be granted on a temporary basis up to a maximum period of 3 years.

We understand that there have been no local objections and adverse comments from Government departments for the Application Site. Meanwhile, the Applicant has fully complied with all of the approval conditions as stated in the Approval Letter for the previous case (i.e. A/YL-PH/825). In this connection, the re-granting of planning approval will not contravene the TPB Guideline.

5.5 Insignificant Landscape and Environmental Impacts

Landscaping provisions, site paving and fencing will be and, in fact, have been implemented to the satisfaction of the relevant departments.

5.6 Insignificant Adverse Transportation Impact

No heavy vehicles exceeding 24 tonnes will transport materials to the Application Site to minimize the noise and air pollution to the surroundings.

5.7 Insignificant Adverse Drainage Impact

Drainage proposal from the previous application has been approved and implemented to the satisfaction of the Board and the Drainage Services Department. Should planning permission for the current temporary use be re-granted by the Board, existing drainage facilities within the Application Site will be properly maintained.

5.8 No Adverse Comments and Local Objections

There have been no complaints from locals or other concerned government departments since the operation of business by the Applicant in 2011 and its tenant since 2013. It has demonstrated that there would be no problems with its use and occupation of the Application Site. Should the planning permission be re-granted, the Applicant will again make every effort in complying with the approval conditions as imposed by the Board.

5.9 No Creation of a Precedent Case

As the Board is entitled to consider planning applications according to the individual merits of each case, there should be little concern about setting an undesirable precedent by approving this application. Moreover, the use of the current development would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas and will not in any sense be a creation of an undesirable precedent.

5.10 Complied with All Approval Conditions

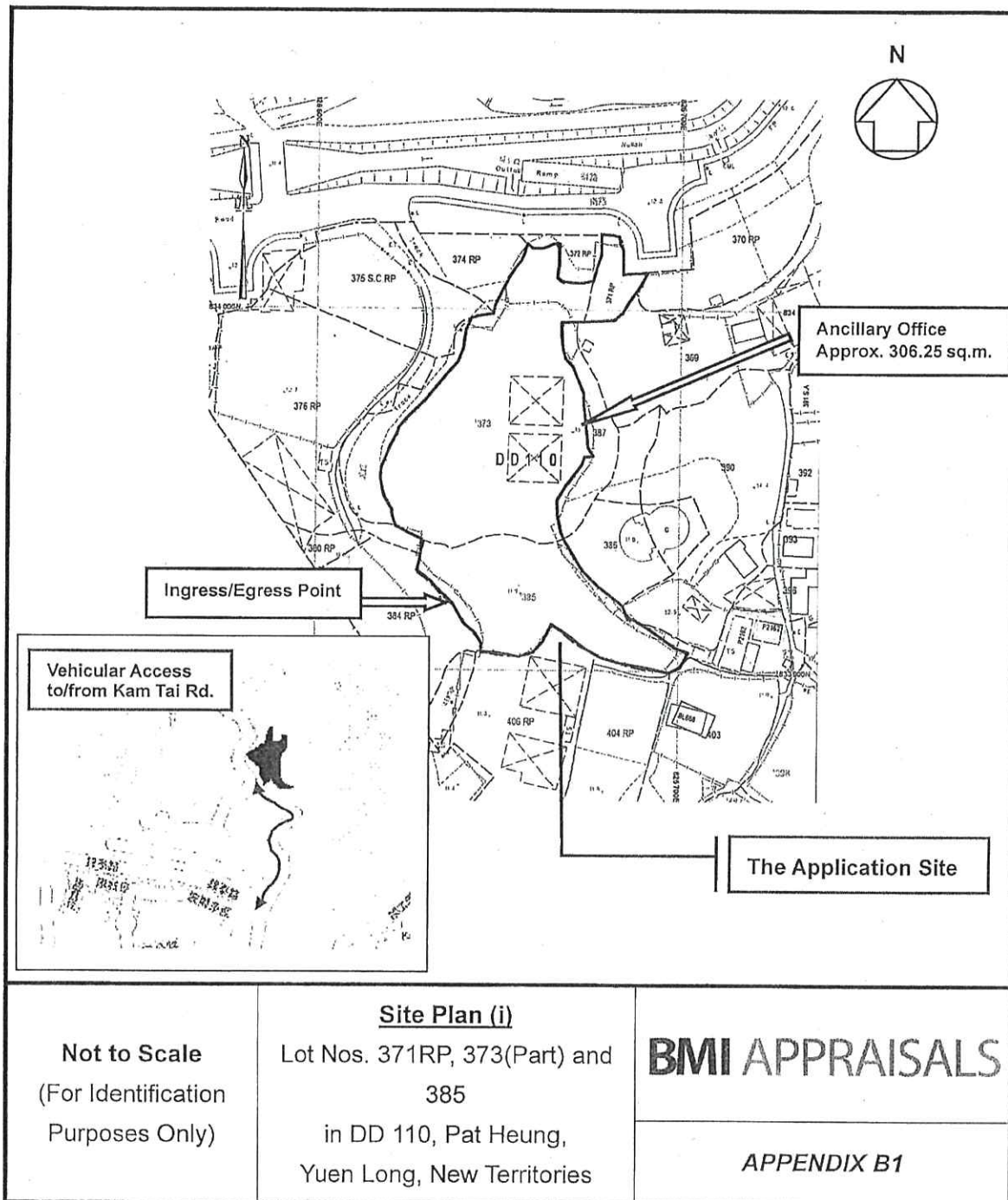
As the Applicant has shown its genuine efforts in complying with all approval conditions in the previously approved application, the Board should take this into account and hence give favourable consideration to the application.

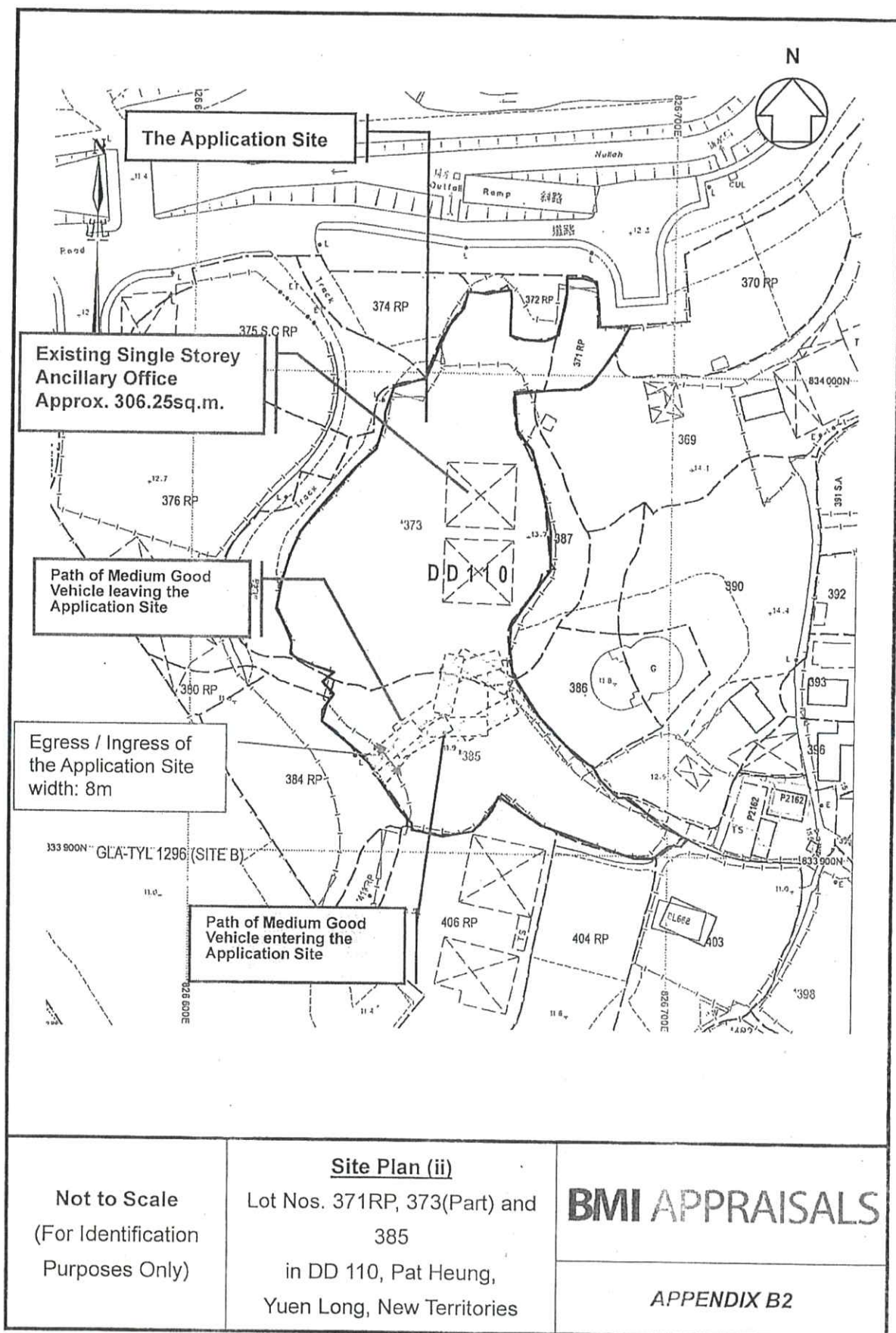
6. CONCLUSION

- 6.1 This planning application is to seek planning permission for the continuance of a temporary open storage of construction materials and machinery with ancillary office in the Application Site for an additional period of three years.
- 6.2 The proposed development offers a temporary solution to meet the much needed demand of storage of this particular type or trade where much land use activity is not economically feasible and sustainable to be carried out in the urban areas due to the high rental levels and deficiency of such sizable factory storage units in urban areas.

- 6.3 Due to the well established trading in this area of Pat Heung and the globalization of trading between Hong Kong and Mainland China in recent years, more and more people are engaged or will be engaged in trading with Mainland China. It is envisaged that demand for storage space will increase dramatically in the northwestern part of the New Territories and areas close to the border of Mainland China for reason of good accessibility. In response to such demand for storage space and suitable strategic location, the Board, should give support to local business operators and favourable consideration be made to this application.
- 6.4 The subject temporary use has been previously approved under Application No. A/YL-PH/825. And, temporary uses of open storage have recently been approved in the proximity under Application Nos. A/YL-KTS/879, A/YL-KTN/790 and A/YL-KTS/912.
- 6.5 As detailed in section 5 above, the current use will not contravene with the TPB PG-No. 13F.
- 6.6 Species of Chinese Banyan has been planted along the site boundary. The Application Site has also been partially fenced off with corrugated metal sheets and painted in green in order to alleviate the landscaping impact.
- 6.7 As mentioned in this planning statement, the Applicant has all along made its best endeavours to strictly comply with the required approval conditions in relation to the drainage, environmental and landscape aspects together with the fire service installation to the satisfaction of the relevant Government departments and hence the Application Site is maintained in an extraordinary good condition and a proper manner.
- 6.8 In view of the strong justifications and all other material considerations encompassed in this planning statement, we sincerely recommend that members of the Board and relevant departments would give favourable consideration again to approve the renewal of the subject planning application.

END OF STATEMENT





APPENDIX C

Extract Copy of the Schedule of Use

OPEN STORAGE

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Cargo Handling and Forwarding Facility (not elsewhere specified) Eating Place (Canteen only) Government Refuse Collection Point Government Use (not elsewhere specified) On-Farm Domestic Structure Open Storage (not elsewhere specified) Public Convenience Public Utility Installation Public Vehicle Park (excluding container vehicle) Rural Workshop Shop and Services (Service Trades only) Utility Installation for Private Project Vehicle Repair Workshop Warehouse (excluding Dangerous Goods Godown)	Cargo Handling and Forwarding Facility (Container Freight Station, Logistics Centre only) Cement Manufacturing Concrete Batching Plant Container Storage/Repair Yard Container Vehicle Park/Container Vehicle Repair Yard Dangerous Goods Godown Eating Place (not elsewhere specified) Industrial Use (not elsewhere specified) Open Storage of Cement/Sand Open Storage of Chemical Products/ Dangerous Goods Petrol Filling Station Shop and Services (not elsewhere specified) Vehicle Stripping/Breaking Yard Wholesale Trade

Planning Intention

This zone is intended primarily for the provision of land for appropriate open storage uses and to regularize the already haphazard proliferation of open storage uses. It provides for the orderly development of land for open storage uses that cannot be accommodated in conventional godown premises.

AGRICULTURE

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use	Animal Boarding Establishment
Government Use (Police Reporting Centre only)	Barbecue Spot
On-Farm Domestic Structure	Burial Ground
Public Convenience	Field Study/Education/Visitor Centre
Religious Institution (Ancestral Hall only)	Government Refuse Collection Point
Rural Committee/Village Office	Government Use (not elsewhere specified)
	House (New Territories Exempted House only, other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes)
	Picnic Area
	Place of Recreation, Sports or Culture (Horse Riding School, Hobby Farm, Fishing Ground only)
	Public Utility Installation
	Religious Institution (not elsewhere specified)
	School
	Utility Installation for Private Project

Planning Intention

This zone is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

Remarks

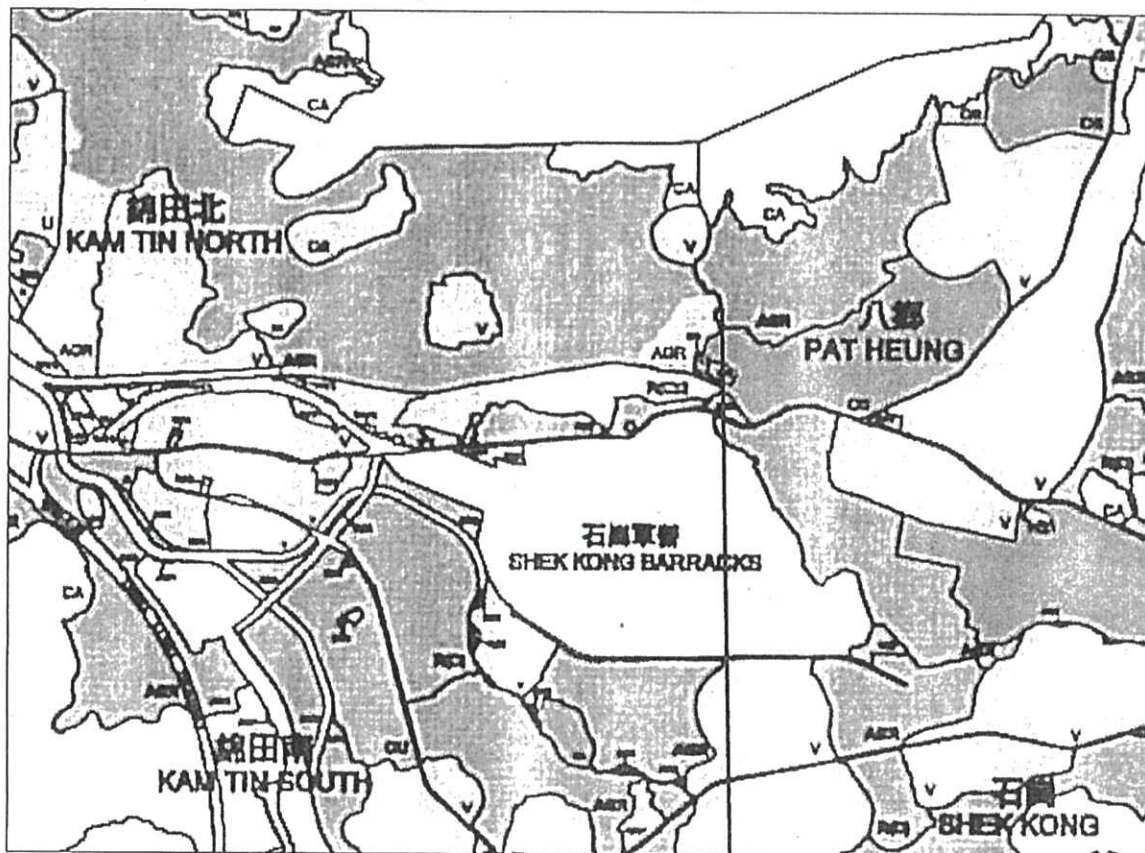
- (a) Any filling of pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the interim development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

(Please see next page)

AGRICULTURE (cont'd)

Remarks (cont'd)

- (b) Any filling of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft Pat Heung Outline Zoning Plan No. S/YL-PH/9 without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance. This restriction does not apply to filling of land specifically required under prior written instructions of Government department(s) or for the purposes specified below:
- (i) laying of soil not exceeding 1.2m in thickness for cultivation; or
 - (ii) construction of any agricultural structure with prior written approval issued by the Lands Department.



圖例

LEGEND



第1類地區
CATEGORY 1 AREAS



第2類地區
CATEGORY 2 AREAS



第3類地區
CATEGORY 3 AREAS



第4類地區
CATEGORY 4 AREAS



新市鎮界限
NEW TOWN BOUNDARY



區議會界限
DISTRICT COUNCIL BOUNDARY



主要已發展區、道路、大渠和法定規劃圖則未有涵蓋的地方或根據法定規劃圖則，該地方沒有可供申請作露天貯物及港口後勤用途的標文
MAJOR BUILT-UP AREAS, ROADS, NULLAHS AND AREAS NOT COVERED BY STATUTORY TOWN PLANS OR AREAS WITH NO PROVISION FOR PLANNING APPLICATIONS FOR OPEN STORAGE AND PORT BACK-UP USES UNDER STATUTORY TOWN PLANS

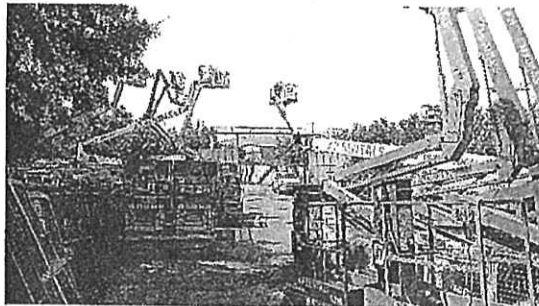
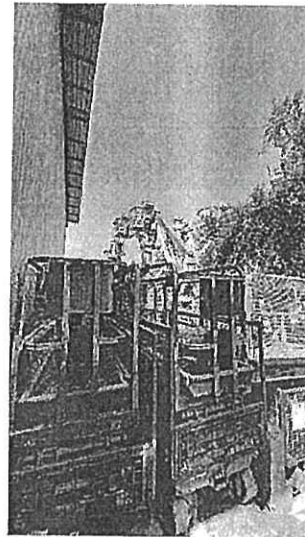
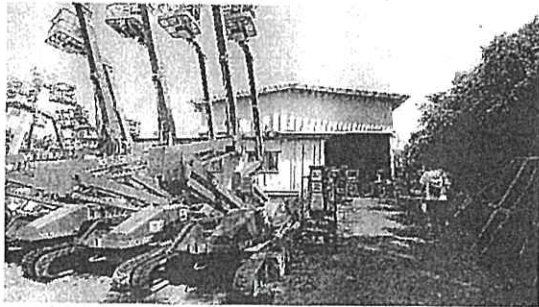
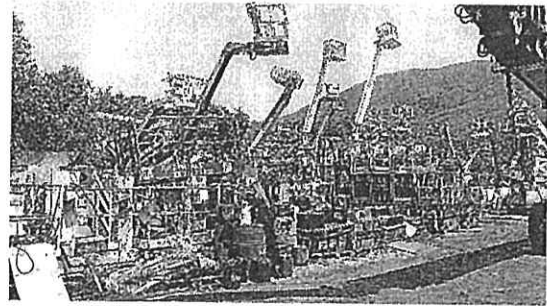
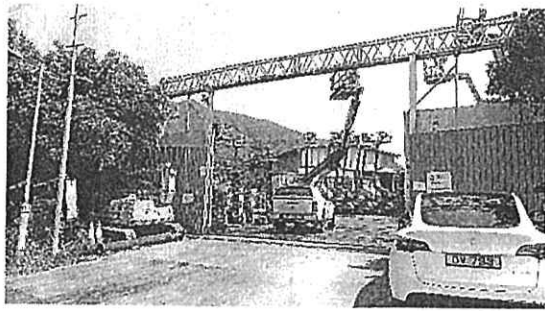
The Application Site

Not to Scale
(For Identification
Purposes Only)

Copy of Identification
of Categories Plan

BMI APPRAISALS

APPENDIX D



<p>Not to Scale (For Identification Purposes Only)</p>	<p><u>Site Photographs</u> Lot Nos. 371RP, 373(Part) and 385 in D.D. 110, Pat Heung, Yuen Long, New Territories</p>	<p>BMI APPRAISALS</p>
		<p><i>APPENDIX E</i></p>

APPENDIX F

***Copy of TPB's Approval Letter dated
17 January 2020 (TPB/A/YL-PH/825)***

城市規劃委員會

香港北角渣華道三百三十三號
北角政府合署十五樓

TOWN PLANNING BOARD

15/F., North Point Government Offices
333 Java Road, North Point,
Hong Kong.

傳真 Fax: 2877 0245 / 2522 8426

電話 Tel: 2231 4810

來函檔號 Your Reference:

覆函請註明本會檔號

In reply please quote this ref.: TPB/A/YL-PH/825

By Post & Fax

7 February 2020

BMI Appraisals Ltd.

(Attn.: Edmund Cheng)

Dear Sir/Madam,

**Renewal of Planning Approval for Temporary Open Storage
(Construction Materials and Machinery with Ancillary Office)
for a Period of 3 Years in "Agriculture" and "Open Storage" Zones,
Lots 371 RP, 373 (Part) and 385 in D.D. 110, Pat Heung, Yuen Long**

I refer to my letter to you dated 16.1.2020.

After giving consideration to the application, the Town Planning Board (TPB) approved the application for permission under section 16 of the Town Planning Ordinance on the terms of the application as submitted to the TPB. The permission shall be valid on a temporary basis for a period of 3 years from 29.1.2020 until 28.1.2023 and is subject to the following conditions :

- (a) no operation between 6:00 p.m. and 8:00 a.m., as proposed by you, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by you, is allowed on the site during the planning approval period;
- (c) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be stored/parked at or enter/exit the site at any time during the planning approval period;
- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of a drainage proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.7.2020;

- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.10.2020;
- (h) in relation to (g) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (i) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (j) if any of the above planning conditions (a), (b), (c), (d), (e), (h) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (k) if any of the above planning conditions (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.

_____ The TPB also agreed to advise you to note the advisory clauses as set out at Appendix VI of the TPB Paper.

You are reminded to **strictly** adhere to the time limit for complying with the above planning conditions. If any of the above planning conditions are not complied with by the specified time limit, the permission given shall be revoked without further notice and the development will be subject to enforcement action. If you wish to apply for extension of time for compliance with planning conditions, you should submit a section 16A application to the TPB no less than six weeks before the expiry of the specified time limit. This is to allow sufficient time for processing of the application in consultation with the concerned departments. The TPB will not consider any application for extension of time if the time limit specified in the permission has already expired at the time of consideration by the TPB. For details, please refer to the TPB Guidelines No. 34C and 36B. The Guidelines, application form (Form No. S16A) and the Guidance Notes for applications are available at the TPB's website (www.info.gov.hk/tpb/), the Planning Enquiry Counters of the Planning Department (Hotline : 2231 5000) at 17/F, North Point Government Offices, 333 Java Road, North Point; 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin; and the Secretariat of the TPB at 15/F, North Point Government Offices.

_____ A copy of the Guidance Notes on Application for Permission under Section 16 of the Town Planning Ordinance (the Guidance Notes), together with the relevant documents providing guidance on the fulfillment of conditions, are attached for your reference. Your attention is particularly drawn to paragraphs 4-11 of Annex C of the Guidance Notes on how to comply with approval conditions.

This temporary permission will lapse on 29.1.2023. You may submit an application to the TPB for renewal of the temporary permission no less than two months before its expiry by completing an application form (Form No. S16-III). For details, please refer to TPB Guidelines No. 34C. However, the TPB is under no obligation to renew the temporary permission.

For amendments to the approved scheme that may be permitted with or without application under section 16A, please refer to TPB Guidelines No. 36B for details.

A copy of the TPB Paper in respect of the application (except the supplementary planning statement/technical report(s), if any) and the relevant extract of minutes of the TPB meeting held on 17.1.2020 are enclosed herewith for your reference.

Under section 17(1) of the Town Planning Ordinance, an applicant aggrieved by a decision of the TPB may apply to the TPB for a review of the decision. If you wish to seek a review, you should inform me within 21 days from the date of this letter (on or before 28.2.2020). I will then contact you to arrange a hearing before the TPB which you and/or your authorized representative will be invited to attend. The TPB is required to consider a review application within three months of receipt of the application for review. Please note that any review application will be published for three weeks for public comments.

This permission by the TPB under section 16 of the Town Planning Ordinance should not be taken to indicate that any other government approval which may be needed in connection with the development, will be given. You should approach the appropriate government departments on any such matter.

If you have any queries regarding this planning permission, please contact Ms. Ivy Wong of Fanling, Sheung Shui & Yuen Long East District Planning Office at 3168 4036. In case you wish to consult the relevant Government departments on matters relating to the above approval conditions, a list of the concerned Government officer is attached herewith for your reference.

Yours faithfully,


(Raymond KAN)
for Secretary, Town Planning Board



S.16 Planning application no. A/YL-PH/936 - Departmental Comments 30/12/2022 14:25

From: <jho@>

To: <tpbpd@pland.gov.hk>

Cc: <pplingan@pland.gov.hk>, <cyfpang@pland.gov.hk>, <ltyip@pland.gov.hk>

History:

This message has been forwarded.

1 Attachment



APPENDIX B2 Site Plan (ii).pdf

Dear Sir/Madam,

We refer to the comments from Transport Department towards the captioned Planning Application.

We hereby reply to the department's perusal, please kindly assist to forward it on behalf of me, thanks for your attention.

Reply to Comments:

a) *It is noted that the path (including the turning area) for medium goods vehicle will always keep clear, only low number and short period of time required for loading / unloading of materials, therefore no designated spot is reserved for such vehicle.*

b) *As advised by the client, the daily trips generated are as follows:-*

*Medium Goods Vehicles: 1 trip during 9am to 12pm
1 trip during 1pm to 5pm*

As a result, the traffic impact of the Application Site to the local road, Kam Tai Road is minimal.

c) *Please refer to the attached file.*

d) *Noted with thanks.*

Thanks!

Best Regards,

Jonathan Ho

BMI Appraisals Limited

Direct: Fax:

E-mail:

Website:

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**Relevant Extracts of Town Planning Board Guidelines
on Renewal of Planning Approval and Extension of Time for Compliance with
Planning Conditions for Temporary Use or Development
(TPB PG-No. 34D)**

1. The criteria for assessing applications for renewal of planning approval include:
 - (a) whether there has been any material change in planning circumstances since the previous temporary approval was granted (such as a change in the planning policy/land-use zoning for the area) or a change in the land uses of the surrounding areas;
 - (b) whether there are any adverse planning implications arising from the renewal of the planning approval (such as pre-emption of planned permanent development);
 - (c) whether the planning conditions under previous approval have been complied with to the satisfaction of relevant government departments within the specified time limits;
 - (d) whether the approval period sought is reasonable; and
 - (e) any other relevant considerations.
2. Under normal circumstances, the approval period for renewal should not be longer than the original validity period of the temporary approval. In general, the Board is unlikely to grant an approval period exceeding three years unless there are strong justifications and the period is allowed for under the relevant statutory plans. Depending on the circumstances of each case, the Board could determine the appropriate approval period, which may be shorter than the time under request.

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: considered suitable for open storage and port-backup uses. 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. Sympathetic consideration may be given if the applicants have demonstrated genuine efforts in compliance with approval conditions of the previous planning applications and included in the fresh applications relevant technical assessments/proposals (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, and subject to no adverse departmental comments and local objections, sympathetic consideration may be given if the applicants have demonstrated genuine efforts in compliance with approval conditions of the previous planning applications and included in the fresh applications relevant technical assessments/proposals (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 summarized as follows:

- (a) the use of sites less than 1,000m² for open storage uses and 2,000m² for port back-up uses in rural areas, is generally not encouraged, other than sites located in major 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, minimizing sprawl over countryside areas and reducing travel trips;
- (b) port back-up sites and those types of open storage generating adverse noise, air pollution and 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 Applications covering the Application SiteApproved Applications

Application No.	Use/Development	Date of Consideration
A/YL-PH/618	Proposed Temporary Open Storage of Construction Materials and Machinery with Ancillary Office for a Period of 3 Years	28.1.2011
A/YL-PH/682	Renewal of Approval for Proposed Temporary Open Storage of Construction Materials and Machinery with Ancillary Office for a Period of 3 Years	17.1.2014
A/YL-PH/739	Renewal of Approval for Proposed Temporary Open Storage of Construction Materials and machinery with Ancillary Office for a Period of 3 Years	23.12.2016
A/YL-PH/825	Renewal of Planning Approval for Temporary Open Storage of Construction Materials and Machinery with Ancillary Office for a Period of 3 Years	17.1.2020

Rejected Applications

Application No.	Use/Development	Date of Consideration	Rejection Reasons
A/YL-PH/359	Temporary Open Storage of Construction Materials, Machinery and Container Store-rooms for a Priod of 3 Yars	10.8.2001 (on review) Appeal dismissed by TPAB on 12.7.2002	(1) to (4)
A/YL-PH/419	Temporary Open Storage of Construction Machinery for a Period of 3 Years	3.1.2003	(1) to (4)
A/YL-PH/474	Proposed Temporary Open Storage of Construction Machinery for a Period of 3 Years	21.1.2005 (on review)	(1) to (4)

Rejection Reasons

- (1) The development was not in line with the planning intention of the "AGR" zone. No strong justification had been given in the submission for a departure from the planning intention even on a temporary basis.
- (2) The development did not comply with the Town Planning Board Guidelines for

- Application for “Open Storage and Port Back-up Uses”, in that it was not compatible with the surrounding areas and/or no previous approval had been granted at the site.
- (3) There was insufficient information in the submission to demonstrate that the development would not have adverse drainage/ environmental impacts on the surrounding areas.
 - (4) The approval of the application would set an undesirable precedent. The cumulative effect would result in a general degradation of the environment of the area.

Similar s.16 Applications within the “AGR” Zone in the vicinity of the Site

Approved Applications

Application No.	Use/Development	Date of Consideration
Kam Tin North OZP		
A/YL-KTN/648	Renewal of Planning Approval for Temporary Private Car Park for Medium Goods Vehicles and Storage of Construction Materials for a Period of 3 Years	3.5.2019
A/YL-KTN/654	Temporary Open Storage of Construction Materials for a Period of 3 Years	17.5.2019 [revoked on 28.6.2019]
A/YL-KTN/692	Renewal of Planning Approval for Temporary Storage of Logistics Products and Goods with Ancillary Office for a Period of 3 Years	17.1.2020
A/YL-KTN/704	Renewal of Planning Approval for Temporary Open Storage of Building Materials with Ancillary Site Office and Staff Lounge for a Period of 3 Years	15.5.2020
A/YL-KTN/706	Renewal of Planning Approval for Temporary Open Storage of Construction Materials with Ancillary Office and Storage for a Period of 3 Years	15.5.2020
A/YL-KTN/729	Renewal of Planning Approval for Temporary Open Storage of Vehicles and Vehicle Parts for Export for a Period of 3 Years	20.11.2020
A/YL-KTN/827	Renewal of Planning Approval for Temporary Private Car Park for Medium Goods Vehicles and Storage of Construction Materials for a Period of 3 Years	20.5.2022

Rejected Applications

Application No.	Use/Development	Date of Consideration	Rejection Reasons
Pat Heung OZP			
A/YL-PH/774	Proposed Temporary Open Storage of Construction Machinery and Equipment with Ancillary Office and Staff Rest Room for a Period of 3 Years	6.4.2018 27.7.2018 (on review)	(1) to (4)

Rejection Reasons

- (1) The development is not in line with the planning intention of the “AGR” zone.
- (2) The application does not comply with the TPB guidelines for “Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance”, in that the development was not compatible with the surrounding land uses; there was no previous approval granted at the site and there were adverse comments from the relevant government departments and local objection against the application.
- (3) The applicant failed to demonstrate that the development would not generate adverse environmental, landscape and drainage impacts on the surrounding areas.
- (4) The approval of the application, even on a temporary basis, would set an undesirable precedent.

Government Departments' General Comments

1. Land Administration

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

- no adverse comment on the application.

2. Traffic

Comments of the Commissioner for Transport (C for T):

- based on the FI submitted (**Appendix Ib**), he has no further comment on the application from traffic engineering perspective.

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

- she has no comment on the renewal application from highways maintenance point of view.

Comments of the Chief Estate Surveyor/Railway Development, Lands Department (CES/RD, LandsD):

- he has no comment on the renewal application subject to no adverse comment from the Railway Development Office of Highways Department.

Comments of the Chief Engineer/Railway Development Division 2-1, Railway Development Office, Highways Department (CE/RD 2-1, RDO, HyD):

- no objection to the application.

3. Drainage

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

- no in-principle objection to the application; and
- should the application be approved, the applicant is required to maintain the existing drainage facilities implemented under the previous planning application and submit condition records of the existing drainage facilities to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

4. Fire Safety

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

- no objection in-principle to the application subject to the existing FSIs implemented on the site being maintained in efficient working order at all times.

5. Landscape

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

- she has no objection to the application; and
- with reference to the aerial photo of 2022 and site photos from District Planning Office in December 2022, it is observed that there is no significant change in the landscape character of the adjacent area since the last application (No. A/YL-PH/825). There is no significant change in the major development parameters and layout of this application when compared to that in the previous approved one. Besides, existing trees of common species surrounding the Site are generally in fair condition. Further adverse landscape impact arising from the development within the Site is not anticipated.

6. Building Matters

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

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

7. District Officer's Comments

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

- his office has not received comments from locals upon close of consultation he has no comment on the application.

8. Other Departments

- the Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD); the Director of Electrical and Mechanical Services (DEMS); the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD); the Director of Agriculture, Fisheries and Conservation (DAFC); and the Commissioner of Police (C of P) have no adverse comment on/ no objection to the application.

**Appendix VI of RNTPC
Paper No. A/YL-PH/936**

Recommended Advisory Clauses

- (a) to resolve any land issues relating to the development with the concerned owners of the Site;
- (b) prior planning permission should have been obtained before commencing the applied use at the Site;
- (c) to note the comments of the District Lands Officer/ Yuen Long, Lands Department (DLO/YL, LandsD) that:
 - the Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government;
 - Lot 373 in D.D. 110 is covered by Short Term Waiver (STW) No. 3722 for the purpose of “Temporary Open Storage of Construction Materials & Machinery with Ancillary Office”; and
 - the STW holder(s) will need to apply to his office for modification of the STW conditions where appropriate, and the lot owner(s) of the lot owner(s) of the lot(s) without STW will need to apply to his office to permit the structures to be erected or regularize any irregularities on Site, ~~(except staff resting room)~~, if any. Besides, given the proposed use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. Applications for any of the above will be considered by LandsD acting in the capacity as the landlord or lessor at its sole discretion and there is no guarantee that such application will be approved. If such application is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by LandsD;
- (d) to note the comments of the Commissioner for Transport (C for T) that:
 - the Site is connected to the public road network via a section of a local access road which is not managed by Transport Department. The land status of the local access road should be checked with the LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly. Sufficient manoeuvring space shall be provided within the Site. No vehicle is allowed to queue back to or reverse onto / from public road at any time during the planning approval period;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
 - his department shall not be responsible for maintenance of any access connecting the Site and Kam Tai Road;
- (f) to note the comments of the Chief Engineer/Railway Development Division 2-1, Railway Development Office, Highways Department (CE/RD 2-1, RDO, HyD) that:
 - the Site location falls within the railway protection zone of the existing Express Rail Link (XRL). As the XRL was vested to KCRC for operation, the advice from KCRC

and MTRCL is relevant;

(g) to note the comments of the Director of Environmental Protection (DEP) that:

- the applicant is advised to follow the relevant mitigation measures and requirements in the latest “Code of Practice on Handling the Environmental Aspects of Temporary uses and Open Storage Sites” issued by DEP;

(h) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that:

- the approval of the application does not imply approval of tree works such as pruning, transplanting and felling under lease. The applicant is reminded to seek approval for any proposed tree works from relevant department prior to commencement of works.

(i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:

- if the existing structures are erected on leased land without approval of BD (not being a New Territories Exempted House), they are unauthorized under the BO and should not be designated for any approved use under the application;
- before any new building works (including containers/open sheds as temporary buildings) are to be carried out on Site, the prior approval and consent of the BD should be obtained, otherwise they are unauthorized building works (UBW) under Buildings Ordinance (BO). An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO;
- 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 Site under 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; and
- if the Site does not abut on a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage.

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

參考編號

Reference Number:

221216-162543-08484

提交限期

Deadline for submission:

03/01/2023

提交日期及時間

Date and time of submission:

16/12/2022 16:25:43

有關的規劃申請編號

The application no. to which the comment relates:

A/YL-PH/936

「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，郊區設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。