

RNTPC Paper No. A/KTN/74A
For Consideration by
The Rural and New Town Planning
Committee on 9.7.2021

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/KTN/74

| | | |
|---------------------------|---|--|
| <u>Applicant</u> | : | Mr. HUI Man Wei |
| <u>Site</u> | : | Lot 4 (Part) in D.D. 95, Kwu Tung North, Sheung Shui, New Territories |
| <u>Site Area</u> | : | 820 m ² |
| <u>Lease</u> | : | Block Governemnt Lease (demised for agricultural use) |
| <u>Plan</u> | : | Approved Kwu Tung North Outline Zoning Plan (OZP) No. S/KTN/2 |
| <u>Zonings</u> | : | Area shown as 'Road' (about 97.4%); "Green Belt" ("GB") (about 1.3 %) "Government, Institution or Community" ("G/IC") (about 1.3%) |
| <u>Application</u> | : | Temporary Open Storage of Metal Scaffold with Ancillary Rest Room and Tool Room for a Period of 3 Years |

1. The Proposal

- 1.1 The applicant seeks planning permission to use the application site (the Site) for temporary open storage of metal scaffold with ancillary rest room and tool room for a period of 3 years. The Site falls mainly within an area shown as 'Road' (97.4% of the Site) on the approved Kwu Tung North OZP No. S/KTN/2 (**Plan A-1**). According to the covering Notes of the OZP, in any area shown as 'Road', the applied use requires permission from the Town Planning Board (the Board). The Site is currently used for the applied use without valid planning permission.
- 1.2 According to the submission, the applied use comprises 2 single-storey structures (2.6m high) with total area of 29.28m² for storage of tool and resting. No toilet will be provided on site. The estimated number of on-site staff is 2. The operation hours are from 8 a.m. to 5 p.m., Mondays to Saturdays, and no operations on Sundays and public holidays. Only vehicle below 5.5 tonnes will enter/exit the Site. The Site is accessible from Ho Sheung Heung Road via a local road. One vehicular trip is generated per day. A loading/unloading area is provided on site but without provision of any parking space. The layout plan submitted by the applicant is at **Drawing A-1**.
- 1.3 In support of the application, the applicant has submitted the following documents:
 - (a) Application form received on 5.2.2021 (Appendix I)
 - (b) Supplementary information of 8.2.2021 (Appendix Ia)
 - (c) Further information (FI) dated 26.2.2021[#] (Appendix Ib)

(d) FI received on 1.6.2021[#]

(Appendix Ic)

[#]*exempted from publication requirement*

- 1.4 The application was originally scheduled for consideration by the Committee on 26.3.2021. On 26.3.2021, the Committee agreed to defer a decision on the application as requested by the applicant to allow time for the applicant to prepare FI to address departmental comments. On 1.6.2020, the applicant's FI was received and the application is scheduled at this meeting.

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Application Form, supplementary information and FI at **Appendices I, Ia, Ib and Ic**. They are summarized as follows.

- (a) The applied use will not affect the land surface. The Site for temporary use will not frustrate the long-term planning intention of the land.
- (b) The applied use for the Site allows better use of land resource since it is not suitable for planting.
- (c) No adverse traffic impact is anticipated.

3. **Compliance with the "Owner's Consent/Notification" Requirements**

The applicant is not a "current land owner" but has complied with the requirements as set out in the Town Planning Board Guidelines in Satisfying the "Owner's Consent/Notification" Requirements under Section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by posting site notice and sending notice to Sheung Shui District Rural Committee (SSDRC). Detailed information would be deposited at the meeting for Members' inspection.

4. **Background**

The Site is subject to an active planning enforcement action (No. E/NE-KTN/183) (**Plan A-2**) against unauthorized development (UD) involving storage use (including deposit of containers). Enforcement Notice was issued on 28.9.2020 to the concerned notice recipients requiring discontinuation of the UD by 28.11.2020. As revealed by recent site inspection, the UD had not been discontinued upon expiry of the notice. The concerned notice recipients may be subject to prosecution action.

5. **Town Planning Board Guidelines**

On 27.3.2020, the Board promulgated the revised Town Planning Board Guidelines for Application for Open Storage (OS) and Port back-up Uses (PBU) (TPB PG-No. 13F). The Site falls within Kwu Tung North New Development Area (KTN NDA) which is covered by the revised Guidelines. Relevant extracts of the Guidelines are attached at **Appendix II**.

6. **Previous Applications**

There is no previous application involving the Site.

7. **Similar Applications**

There is no similar application within the same 'Road' area.

8. **The Site and Its Surrounding Areas** (Plans A-1 and A-2, aerial photo on Plan A-3 and Plans A-4a to A-4b)

8.1 The Site:

- (a) is partly fenced off and mainly occupied by metal scaffolds and two containers for applied use; and
- (b) is accessible by a local road leading to Ho Sheung Heung Road.

8.2 The surrounding area is rural in nature with some open storage and domestic structures:

- (a) to its immediate west is fallow agricultural land; to its immediate southwest are domestic structures; to its further west and southwest are mainly hill slope covered with vegetation;
- (b) to its north and northwest are open storage yard, domestic structures and area covered by vegetation;
- (c) to its northeast and east are recyclable collection centre, vehicle repair workshop, domestic structures and area covered by vegetation; and
- (d) to its south are warehouse, parking of vehicles and refuse collection chamber, and to its southeast is a hill slope with vegetation.

9. **Planning Intention**

The area shown as 'Road' is intended for road use.

10. **Comments from Relevant Government Departments**

- 10.1 The following Government departments have been consulted and their views on the application are summarised as follows:

Land Administration

- 10.1.1 Comments of the District Lands Officer/North, Lands Department (DLO/N,

LandsD):

- (a) The Lot is an Old Schedule Agricultural Lot held under the Block Government Lease without any guarantee of right of access.
- (b) It is noted that the existing occupation boundary is different to the proposed site boundary under application. Also, unauthorized occupation of Government Land was found on both eastern side and northern side of the Lot and two unauthorized structures for the purpose of ancillary rest room and tool room were erected on the Lot and government Land respectively. Since the existing structure on the Lot is unacceptable under lease, his department reserves the right to take lease enforcement actions against the irregularities found. For the unauthorized occupation and erection of another existing structure on the Government Land, his department will also consider taking appropriate land control actions against the irregularities concerned.
- (c) If the planning application is granted, the owner of the Lot/occupier shall apply to his office for Short Term Wavier and Short Term Tenancy to cover the captioned temporary structures and the Government Land being occupied. Such applications will be considered by his department acting in the capacity as landlord at its sole discretion and there is no guarantee that such terms and conditions, including but not limited to payment to fees and premium, to be imposed by his department.

Future Development

10.1.2 Comments of the Project Manager/North, Civil Engineering and Development Department (PM/N, CEDD):

The Site falls within the Remaining Phase of KTN NDA project. According to the latest implementation programme of the project, the construction works for the Remaining Phase is scheduled for commencement in 2024.

Traffic

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

- (a) He is unable to conclude if the application is acceptable as the applicant has not addressed his following comments.
- (b) The applicant shall justify the adequacy of the parking spaces and loading/unloading spaces so provided by relating to the number of vehicles visiting the Site.
- (c) The applicant shall advise the width of the vehicular access.

- (d) The vehicular access should be no less than 7.3m wide.
- (e) The applicant shall demonstrate the satisfactory manoeuvring of vehicles entering to and exiting from the Site, manoeuvring within the Site and into/out of the parking and loading/unloading spaces, preferably using the swept path analysis.
- (f) The applicant shall advise the management/control measures to be implemented to ensure no queuing of vehicles outside the Site.
- (g) The applicant shall advise the provision and management of pedestrian facilities to ensure pedestrian safety.
- (h) The vehicular access between the Site and Ho Sheung Heung Road is not managed by Transport Department. The applicant should seek comment from the responsible party.

Environment

10.1.4 Comments of the Director of Environmental Protection (DEP):

- (a) Should the application be approved, the applicant is advised to follow the environmental mitigation measures as recommended in the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” in order to minimize the potential environmental impacts on the adjacent area.
- (b) There is no environmental compliant case against the Site received by DEP in the past 3 years.

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

The Site is in an area where no public sewerage connection is available.

Landscape

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

- (a) He has no objection to the application from the landscape planning perspective.
- (b) Based on the aerial photo taken in 2016 and 2020, the Site is an area of Miscellaneous Rural Fringe landscape character surrounded by temporary structures, roads and scattered tree groups. Large area of open storage is observed at the south of the Site. In between the Site are “GB” zones with uplands and hillsides landscape character. The applied use is not entirely incompatible with the surrounding environment.

- (c) With reference to the site record dated 22.2.2021, a watercourse is recorded near the northern and western part of the Site and the Site is fenced off, paved and in operation. Except one dead tree, no existing tree is found within the Site. Significant adverse impact on existing landscape resources within the Site arising from the applied use is not anticipated.
- (d) His advisory comments are at **Appendix IV**.

Drainage

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

- (a) He has no objection to the application from the public drainage viewpoint.
- (b) Should the application be approved, a condition should be included to request the applicant to submit and implement a drainage proposal for the Site to ensure that it will not cause adverse drainage impact to the adjacent area.

Fire Safety

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

- (a) He has no objection in principle to the proposal subject to Fire Service Installations being provided to his satisfaction.
- (b) In consideration of the design/nature of the proposal, FSI is anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSI to his department for approval.
- (c) Having considered the nature of the open storage use, approval condition on provision of fire extinguisher(s) within 6 weeks from the date of planning approval should be included. To address this condition, the applicant should submit a valid fire certificate (FS 251) to his department for approval.
- (d) His advisory comments are at **Appendix IV**.

Agricultural and Nature Conservation

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

- (a) He has no comment on the application from nature conservation point of

view. According to the aerial photos, the Site has been paved and remained for similar condition for some years. "Destroy first, build later" should not be encouraged.

- (b) There is a watercourse located to the west of the Site. Should the application be approved, the applicant is advised to adopt preventative measures to avoid adverse impact of the watercourse.

Local Consultation

10.1.10 Comments of the District Officer (North), Home Affairs Department (DO(N), HAD):

He has consulted the locals. The North District Council (NDC) member of the subject Constituency supports the application. The Resident Representative (RR) of Kwu Tung (North) raises objection mainly on the grounds of traffic congestion, and that the Site is not suitable for the applied use. The Chairman of SSDRC indicates has no comment.

10.2 The following Government departments have no adverse comment on/ no objection to the application. Their advisory comments, if any, are in **Appendix IV:**

- (a) Chief Building Surveyor/ New Territories West, Buildings Department;
- (b) Chief Estate Surveyor/Acquisition Section, LandsD;
- (c) Head of the Geotechnical Engineering Office, Civil Engineering and Development Department;
- (d) Commissioner of Police;
- (e) Chief Highways Engineer/ New Territories East, Highways Department;
- (f) Chief Engineer/ Construction, Water Supplies Department; and
- (g) Director of Electrical and Mechanical Services

11. Public Comments Received During Statutory Publication Period

On 16.2.2021, the application was published for public inspection. During the statutory publication period, a total of 3 public comments (**Appendices III-1 to III-3**) were received. World Wide Fund For Nature Hong Kong and one individual object to the application mainly on the grounds that the Site was paved and likely used for open storage since 2020, the approval of application would legitimise unauthorized use of land and promote "destroy first, develop later" attitudes; and the applied use would cause adverse impacts to the nearby residents on fire safety, living quality and environmental aspects. The remaining one submitted by an individual indicates no comment.

12. Planning Considerations and Assessments

- 12.1 The application is for temporary open storage of metal scaffold with ancillary rest room and tool room for a period of 3 years. The Site falls mainly within an area shown as 'Road' on the approved KTN OZP No. S/KTN/2 (**Plan A-1**). The applied use is not in line with the planning intention of the 'Road' designation. According

to PM/N, CEDD, the Site falls within the Remaining Phase of KTN NDA project. PM/N, CEDD advised that the construction works for the Remaining Phase is scheduled for commencement in 2024 tentatively. Construction works of the First Phase of the Project commenced in 2019.

- 12.2 The applied use for open storage of metal scaffold is considered not entirely compatible with the surrounding rural land uses, which are mainly with domestic structures, some open storage yards and areas with vegetation.
- 12.3 The Site falls within the KTN NDA. For application in NDAs, the following considerations under the TPB PG-No. 13F are relevant:

For existing open storage and port back-up uses with previous planning approval(s) and/or permitted under the previous OZPs, sympathetic consideration may be given to the application until the concerned site is required for implementation of NDA development, provided that the relevant approval conditions, if any, have been complied with. Technical assessments, where appropriate, should be submitted to demonstrate that the continued operation of the current uses would not have adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas and the concerns of the departments and local residents, if any, can be addressed through the implementation of the approval conditions.

In view of the impending implementation of NDAs, new open storage and port back-up uses are generally not encouraged to infiltrate into the NDAs. There is a general presumption against such uses at greenfield areas and/or at sites with land use compatibility issue, e.g. in close proximity to existing residential dwellings which may be subject to environmental nuisances caused by the open storage and port back-up uses. Applications will normally be rejected unless under exceptional circumstances.

- 12.4 There is no previous planning permission covering the Site. The current application is for a new open storage use. In view of above, the applied use is not in line with TPB PG-No. 13F in that implementation of the KTN NDA Project has commenced and the applied use is not covered by any previous planning approval. Thus, new open storage use is not encouraged to infiltrate into the NDA.
- 12.5 C for T comments that he is not able to conclude that the application is acceptable as the applicant has not addressed his comments on the application. Other relevant departments, including DEP, CE/MN, DSD and D of FS have no adverse comment on the application.
- 12.6 There is no similar application in the vicinity of the Site. The nearby open storage/brownfield uses are operating without planning approval. Approval of the application, even on a temporary basis, would set an undesirable precedent for similar application.
- 12.7 One of the 3 local views conveyed by DO(N) and 2 of the 3 public comments as stated in paragraphs 10.1.10 and 11 respectively object to the application. The planning considerations and assessments above are relevant.

13. Planning Department's Views

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11, the Planning Department does not support the application for the following reasons:
- (a) the applied use is not in line with the planning intention of the area reserved for 'Road' which is primarily intended for road use. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis; and
 - (b) the applied open storage use does not comply with the Town Planning Board Guidelines No.13F for Application for Open Storage and Port Back-up Uses in that there is no previous approval for open storage granted for the Site; and
 - (c) the applicant fails to demonstrate in the submission that the applied use would not result in adverse traffic impact.
- 13.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of 3 years until 9.7.2024. The following approval conditions and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) no operation between 5:00 p.m. to 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 Site during the planning approval period;
- (c) no vehicles of 5.5 tonnes or above as defined in the Road Traffic Ordinance are allowed to enter/exit the Site, as proposed by the applicant, at any time during the planning approval period;
- (d) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) the submission of swept path analysis for the Site within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board by 9.1.2022;
- (f) the provision of vehicular access within 6 months from the dated of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board by 9.1.2022 ;
- (g) the submission of a proposal on traffic improvement measures to enhance pedestrian safety within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board by 9.1.2022;

- (h) in relation to (g) above, the implementation of the proposal on traffic improvement measures within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board by 9.4.2022.
- (i) the provision of fire extinguisher(s) and a valid fire certificate (FS 251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 20.8.2021;
- (j) the submission of fire services installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 9.1.2022;
- (k) in relation to (j) above, the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 9.4.2022;
- (l) the submission of drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 9.1.2022;
- (m) in relation to (l) above, the implementation of drainage proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 9.4.2022;
- (n) if any of the above planning condition (a), (b), (c) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (o) if any of the above planning condition (e), (f), (g), (h), (i), (j), (k), (l) or (m) is
- (p) 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.

Advisory Clauses

The recommended advisory clauses are attached at **Appendix IV**

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 Should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.
- 14.3 Alternatively, should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.

15. Attachments

| | |
|----------------------------------|---------------------------------------|
| Appendix I | Application Form received on 5.2.2021 |
| Appendix Ia | Supplementary information of 8.2.2021 |
| Appendix Ib | FI dated 26.2.2021 |
| Appendix Ic | FI received on 1.6.2021 |
| Appendix II | Relevant extract of TPB PG-No. 13F |
| Appendices III-1 to III-3 | Public Comments |
| Appendix IV | Advisory Clauses |
| Drawing A-1 | Layout Plan |
| Plan A-1 | Location Plan |
| Plan A-2 | Site Plan |
| Plan A-3 | Aerial Photo |
| Plans A-4a to A-4b | Site Photos |

**PLANNING DEPARTMENT
JULY 2021**

此文件於2021年2月5日收到，城市規劃委員會
只會在收到所有必需的資料及文件後才正式確認收到

5 FEB 2021

Form No. S16-III
表格第 S16-III 號

Document is received on
Town Planning Board will formally acknowledge
the date of receipt of the application only upon receipt
of all the required information and documents

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/cn/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/te/plan_application/apply.html

General Note and Annotation for the Form

填寫表格的一般指引及註解

- # "Current land owner" means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made
「現行土地擁有人」指在提出申請前六星期，其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人
 - & Please attach documentary proof 請夾附證明文件
 - ^ Please insert number where appropriate 請在適當地方註明編號
- Please fill "NA" for inapplicable item 請在不適用的項目填寫「不適用」
- Please use separate sheets if the space provided is insufficient 如所提供的空間不足，請另頁說明
- Please insert a 「✓」 at the appropriate box 請在適當的方格內上加上「✓」號

| | | |
|---------------------------------|-------------------------|------------|
| For Official Use Only 請勿填寫此欄 | Application No. 申請編號 | A/KTN/79 |
| | Date Received 收到日期 | 5 FEB 2021 |

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申請人須把填妥的申請表格及其他支持申請的文件(倘有), 送交香港北角渣華道333號北角政府合署15樓城市規劃委員會(下稱「委員會」)秘書收。
- Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <http://www.info.gov.hk/tpb/>. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).
請先細閱《申請須知》的資料單張, 然後填寫此表格。該份文件可從委員會的網頁下載(網址: <http://www.info.gov.hk/tpb/>), 亦可向委員會秘書處(香港北角渣華道333號北角政府合署15樓 - 電話: 2231 4810 或 2231 4835)及規劃署的規劃資料查詢處(熱線: 2231 5000) (香港北角渣華道333號北角政府合署17樓及新界沙田上禾輋路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 | |
| 許文園 HUI MAN WEI | |
| 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 | |
| 3. Application Site 申請地點 | |
| (a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼(如適用) | 新界古洞北DP95 Lot 4 (部分) |
| (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 101.0 sq.m 平方米 <input type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 29.28 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) | N/A sq.m 平方米 <input type="checkbox"/> About 約 |

| | |
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| (d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號 | 古洞北分區計劃大綱 S/KTN/2 |
| (e) Land use zone(s) involved 涉及的土地用途地帶 | 道路及政府機構或社區用途及綠化地帶 |
| (f) Current use(s) 現時用途 | 臨時存放(金屬棚架)及貨櫃(臨時工作室及工具室). |

(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"¹ (please proceed to Part 6 and attach documentary proof of ownership).
是唯一的「現行土地擁有人」¹ (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"¹ (please attach documentary proof of ownership).
是其中一名「現行土地擁有人」¹ (請夾附業權證明文件)。
- ☒ is not a "current land owner"¹.
並不是「現行土地擁有人」¹。

- ☐ 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 (DDMM/YYYY), this application involves a total of "current land owner(s)"¹.
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」¹。

(b) The applicant 申請人 -

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

| Details of consent of "current land owner(s)" ¹ obtained 取得「現行土地擁有人」 ¹ 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 (DDMM/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. 如上述任何方格的空間不足，請另頁說明)

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

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

- ☐ sent request for consent to the "current land owner(s)" on _____ (DD/MM/YYYY)[#]
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 10-12-2020 (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 9.12.2020 (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

露天臨時存放(金屬棚架)及附屬臨時休息室及工具室

(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☒ year(s) 年 3☐ month(s) 個月

(c) Development Schedule 發展細節表

Proposed uncovered land area 擬議露天土地面積 980.72 sq.m ☒ About 約Proposed covered land area 擬議有上蓋土地面積 29.28 sq.m ☒ About 約

Proposed number of buildings/structures 擬議建築物/構築物數目 2

Proposed domestic floor area 擬議住用樓面面積 0 sq.m ☒ About 約Proposed non-domestic floor area 擬議非住用樓面面積 29.28 sq.m ☒ About 約Proposed gross floor area 擬議總樓面面積 29.28 sq.m ☒ 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)

(A) 用作臨時休息室(單層, 2.6米高)

(B) 用作臨時工具室(單層, 2.6米高)

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 0

Motorcycle Parking Spaces 電單車車位 0

Light Goods Vehicle Parking Spaces 輕型貨車泊車位 0

Medium Goods Vehicle Parking Spaces 中型貨車泊車位 0

Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 0

Others (Please Specify) 其他 (請列明) 0

Proposed number of loading/unloading spaces 上落客貨車位的擬議數目

Taxi Spaces 的士車位 0

Coach Spaces 旅遊巴車位 0

Light Goods Vehicle Spaces 輕型貨車車位 0

Medium Goods Vehicle Spaces 中型貨車車位 0

Heavy Goods Vehicle Spaces 重型貨車車位 0

Others (Please Specify) 其他 (請列明) 0

Proposed operating hours 擬議營運時間

24小時(星期一至星期六, 星期日及公眾假期休息)

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|--|--------------------|--------------------------------|---|----------------|--------------------------------|---|---------------------|--------------------------------|---|-----------------|--------------------------------|---|---------------|--------------------------------|---|--------------------------|--------------------------------|---|-------------------------|--------------------------------|---|-------------------|--------------------------------|---|----------------------|--------------------------------|---|----------------------------------|--------------------------------|---|
| (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 No 否 | <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)) <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) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (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, 請另頁表示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 No 否 | <input type="checkbox"/> Please provide details 請提供詳情 <input checked="" 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 No 否 | <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 <input checked="" 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? | <table border="0"> <tr> <td>On environment 對環境</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On traffic 對交通</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On water supply 對供水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On drainage 對排水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On slopes 對斜坡</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Affected by slopes 受斜坡影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Landscape Impact 構成景觀影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Tree Felling 砍伐樹木</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Visual Impact 構成視覺影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Others (Please Specify) 其他 (請列明)</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> </table> | | On environment 對環境 | Yes 會 <input type="checkbox"/> | No 不會 <input checked="" type="checkbox"/> | On traffic 對交通 | Yes 會 <input type="checkbox"/> | No 不會 <input checked="" type="checkbox"/> | On water supply 對供水 | Yes 會 <input type="checkbox"/> | No 不會 <input checked="" type="checkbox"/> | On drainage 對排水 | Yes 會 <input type="checkbox"/> | No 不會 <input checked="" type="checkbox"/> | On slopes 對斜坡 | Yes 會 <input type="checkbox"/> | No 不會 <input checked="" type="checkbox"/> | Affected by slopes 受斜坡影響 | Yes 會 <input type="checkbox"/> | No 不會 <input checked="" type="checkbox"/> | Landscape Impact 構成景觀影響 | Yes 會 <input type="checkbox"/> | No 不會 <input checked="" type="checkbox"/> | Tree Felling 砍伐樹木 | Yes 會 <input type="checkbox"/> | No 不會 <input checked="" type="checkbox"/> | Visual Impact 構成視覺影響 | Yes 會 <input type="checkbox"/> | No 不會 <input checked="" type="checkbox"/> | Others (Please Specify) 其他 (請列明) | Yes 會 <input type="checkbox"/> | No 不會 <input checked="" type="checkbox"/> |
| On environment 對環境 | Yes 會 <input type="checkbox"/> | No 不會 <input checked="" type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| On traffic 對交通 | Yes 會 <input type="checkbox"/> | No 不會 <input checked="" type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| On water supply 對供水 | Yes 會 <input type="checkbox"/> | No 不會 <input checked="" type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| On drainage 對排水 | Yes 會 <input type="checkbox"/> | No 不會 <input checked="" type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| On slopes 對斜坡 | Yes 會 <input type="checkbox"/> | No 不會 <input checked="" type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Affected by slopes 受斜坡影響 | Yes 會 <input type="checkbox"/> | No 不會 <input checked="" type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Landscape Impact 構成景觀影響 | Yes 會 <input type="checkbox"/> | No 不會 <input checked="" type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Tree Felling 砍伐樹木 | Yes 會 <input type="checkbox"/> | No 不會 <input checked="" type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Visual Impact 構成視覺影響 | Yes 會 <input type="checkbox"/> | No 不會 <input checked="" type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Others (Please Specify) 其他 (請列明) | Yes 會 <input type="checkbox"/> | No 不會 <input checked="" type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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

(B) Renewal of Permission for Temporary Use or Development in Rural Areas

位於鄉郊地區臨時用途/發展的許可續期

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

7. Justifications 理由

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

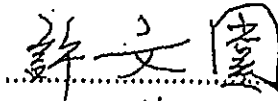
擺放金屬棚架

8. Declaration 聲明

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

I hereby grant a permission to the Board to copy all the materials submitted in an application to the Board and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.
本人現准許委員會的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

HUI MAN WEI

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

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

11 DEC 2020

(DD/MM/YYYY 日/月/年)

Remark 備註

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

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

Warning 警告

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

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

Statement on Personal Data 個人資料的聲明

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

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

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

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

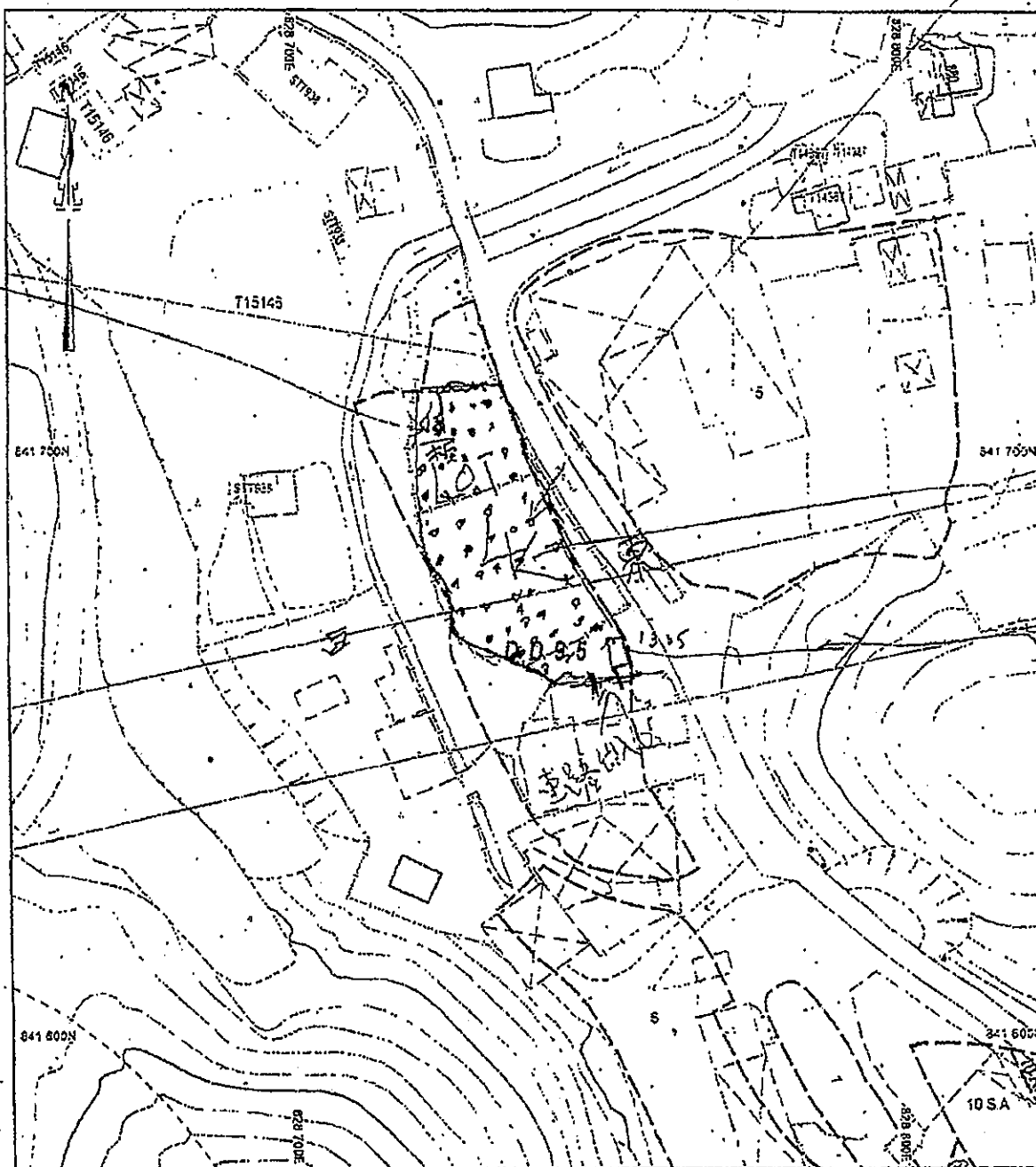
申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。

3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.

根據《個人資料(私隱)條例》(第 486 章)的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角瀝華道 333 號北角政府合署 15 樓。

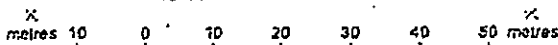
地段索引圖 LOT INDEX PLAN

Q: 權狀不明
保屬 2.4 米闊 x 2.6 米深 x 6.1 米長



地政總署測繪處 Survey and Mapping Office, Lands Department

比例尺 SCALE 1:1 000

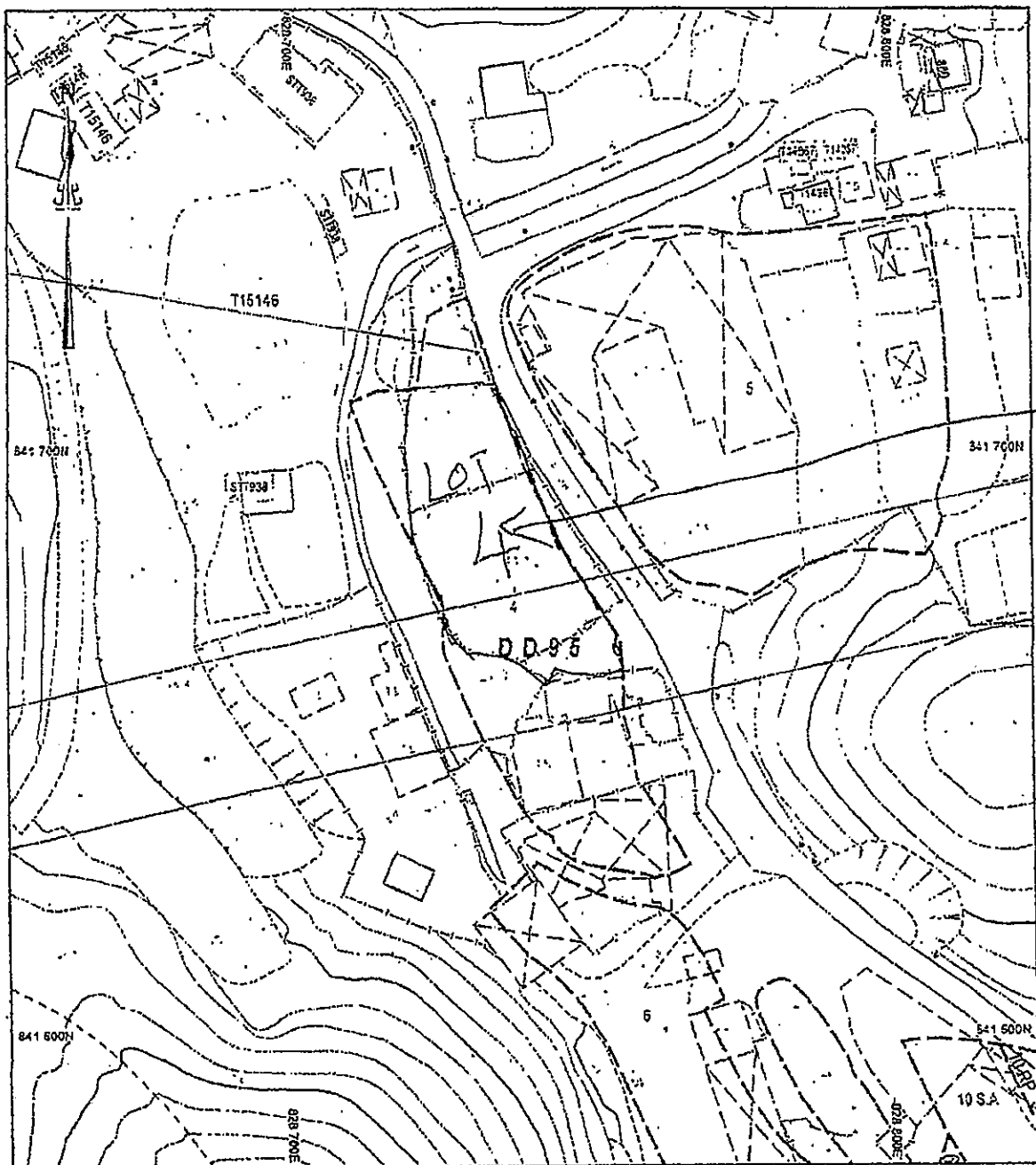


Locality: _____
 Lot Index Plan No.: TP0093112020
 District Survey Office: Tai Po
 Date: 19-Nov-2020
 Reference No.: 2-SE-SA

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 的圖樣和界線。這些土地包括私人地段、政府土地、短期租約地、以及其他在特
 定用途的土地。請注意：(1) 本索引圖上均沒有包含任何關於土地所有權、
 (2) 索引圖的更新或修訂均須經過地政總署的審批；以及 (3) 本索引圖中顯示的界
 線僅供參考之用。資料來源包括地籍圖、地籍調查、土地測量、以及地籍調查
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 Explanatory notes: This plan shows the graphical boundaries of different kinds of
 permanent and temporary land holdings with the topographic map in the backdrop.
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 short term tenancies and other permitted uses of land. It must be noted that (1) the
 information shown on this plan is subject to update without prior notification; (2) there
 may be time lag between an update and the related changes taken place, and (3) the
 graphical boundaries as shown are for identification purpose only and interpretation
 of their accuracy and reliability requires the advice from professional land surveyor.
 Disclaimer: The Government shall not be responsible for any loss or damage
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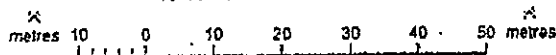
地段索引圖 LOT INDEX PLAN



中區地段總面積 1010 平方米

地政總署測繪處 Survey and Mapping Office, Lands Department

比例尺 SCALE 1:1000



Locality :
 Lot Index Plan No. : TP0093112020
 District Survey Office : Tai Po
 Date : 19-Nov-2020
 Reference No. : 2-SE-5A

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 的圖樣界線，包括土地所有權私人地段、政府地段、短期租約的地段，以及其他在特
 別用途的土地。請注意：(1) 本索引圖上的資料會按不時更新而不作先通知。
 (2) 本索引圖的更新或修改會按有關資料的實際意見，以及(3) 本索引圖中顯示的界
 線僅供參考之用，其用途會受限制。這並不代表土地所有權的意見。
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 新或有誤差而引致任何損失或損害，政府或本署任何人員概不負責。
 Explanatory notes: This plan shows the graphical boundaries of different kinds of
 permanent and temporary land holdings with the topographic map in the backdrop.
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 howsoever arising from the use of this plan or in reliance upon its correctness,
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☐ Urgent ☐ Return receipt ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&public groups



Fw: 補充資料
08/02/2021 17:24

A/KTN/174

From: Wong Hoi <[REDACTED]>
To: "mkngan@pland.gov.hk" <mkngan@pland.gov.hk>
Date: 08/02/2021 17:21
Subject: Re: 補充資料

Dear 顏小姐：

附件是根據規劃處上水粉嶺區鄭先生的要求，關於古洞北DD95 LOT4的補充資料，如有任何問題，歡迎隨時聯絡（[REDACTED]），謝謝！

許文圀

M: +852-[REDACTED]

Wong Hoi (<[REDACTED]>) 在 2021年1月22日星期五 下午12:45:36 [GMT+8] 寫道：

Dear 顏小姐：

附件關於古洞北DD95 LOT4補充資料，如有任何問題，歡迎隨時聯絡（[REDACTED]），謝謝！

許文圀

M: +852-[REDACTED]



申請DD95LOT4補充資料.pdf

2- 

A/KTN/179

補充資料

敬啟者：

關於申請新界古洞北DD95 LT04的用途補充資料如下：

- 1) 開工時間：星期一至星期六，8:00-17:00.
- 2) 員工：2名。
- 3) 工具室擺放小型工具及繩。
- 4) 貨車5.5噸。

許文國

8/2/2021

Appendix Ib

補充資料

敬啟者：城市規劃委員會

關於申請新界古洞北DD95 LT04 (申請編號:A/KTN/74)的用途補充資料如下：

- 1) 地盤面積：1025平方米。
- 2) 車輛出入：5.5噸以下車輛。
- 3) 交通流量：每日一車經河上鄉路出入 (時間：星期一至星期六，8:00至17:00)。
- 4) 一個臨時工具室及一個臨時休息室。
- 5) 沒有泊車。
- 6) 沒有廁所。

許文閣
26/2/2021

tpbpd@pland.gov.hk

寄件者: Wong Hoi <[REDACTED]>
寄件日期: 2021年06月02日星期三 15:56
收件者: tpbpd@pland.gov.hk; cymchan@pland.gov.hk; lpttse@pland.gov.hk
主題: Re: A/KTN/74補充資料
附件: MPF_000476.pdf

尊敬的城市規劃委員會：

申請編號：A/KTN/74，更正補充資料的替代頁，如有任何問題，歡迎隨時聯絡，謝謝！

許文園

M: +852-[REDACTED]

E-mail: [REDACTED]

Wong Hoi (<[REDACTED]>) 在 2021年6月1日星期二 下午04:00:02 [GMT+8] 寫道：

尊敬的城市規劃委員會：

申請編號：A/KTN/74，補充資料，如有任何問題，歡迎隨時聯絡，謝謝！

許文園

M: +852-[REDACTED]

E-mail: [REDACTED]

○

尊敬的城市規劃委員會：

我的申請編號：A/KTN/74.

我這次更改內容：申請土地面積更改為約820平方米（附圖D, E, F表達出來）。

圖（A）增加落貨區。

圖（D）門口位置縮細12米長x10米闊，共120米。

圖（E）右面馬路邊縮細35米長X1米闊，共35米。

圖（F）左面縮面57米長x2米闊，共114米。

許文園
2-6-2021

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。

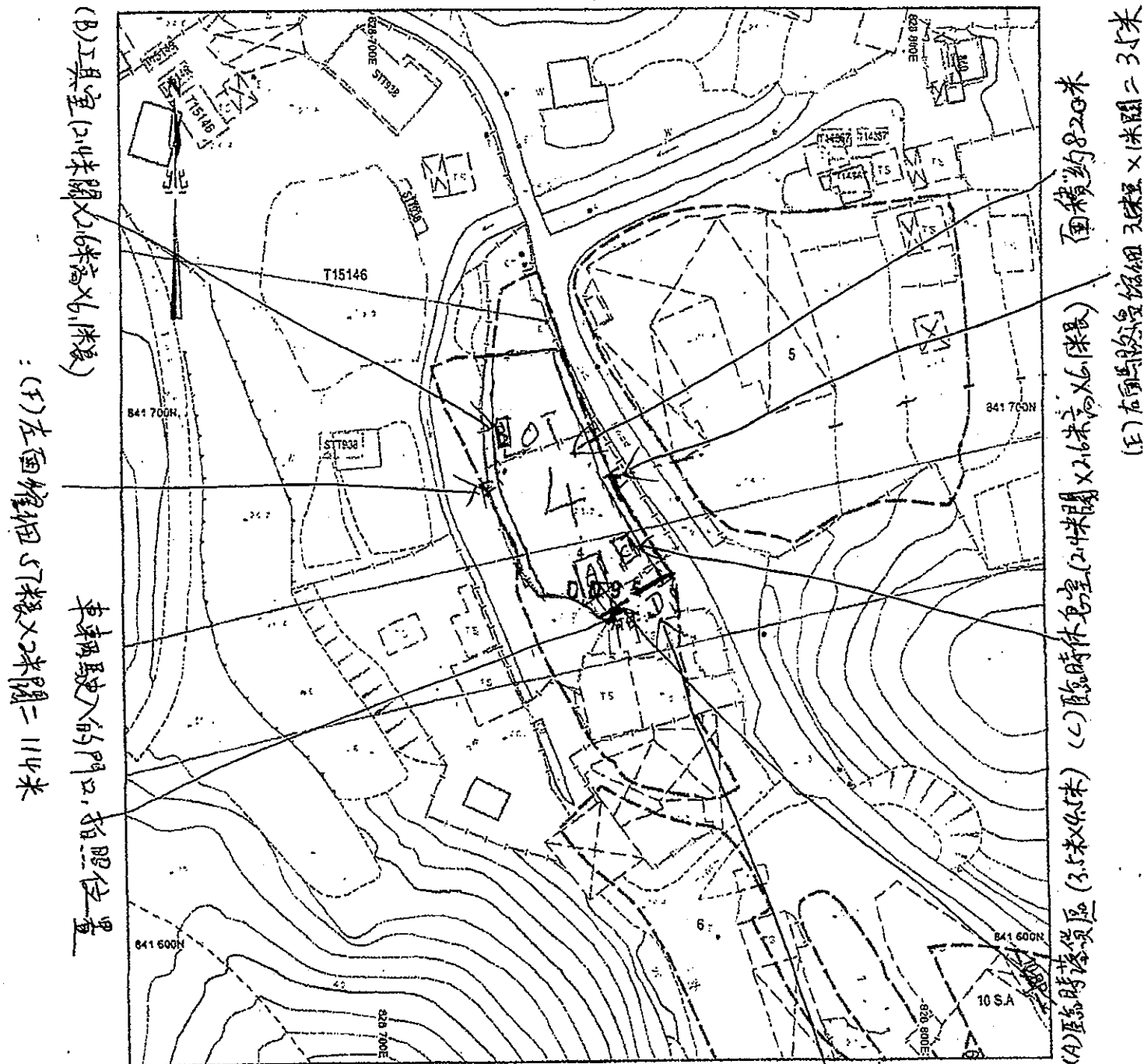
我於 2017 年 3 月 1 日向漁護處申請室內種植，直至貴署的檢控組要求向貴署申請改變土地用途，因為我買這批金屬棚架是用作室內種植用途，所以現在向貴署申請臨時擺放金屬棚架。

如果我申請地段①不會影響地質表面②不會影響交通③不會影響發展④政府暫時不會征收⑤一塊土地如果不可種植，又不可以作其他用途，民何以為生？

申請編號：A/KTN/74

申請編號: A/KTN/74

地段索引圖 LOT INDEX PLAN



地政總署測繪處 Survey and Mapping Office, Lands Department

比例尺 SCALE 1:1 000

metres 10 0 10 20 30 40 50 metres

Locality :

Lot Index Plan No. : TP0093112020

District Survey Office : Tai Po

Date : 19-Nov-2020

Reference No. : 2-SE-5A

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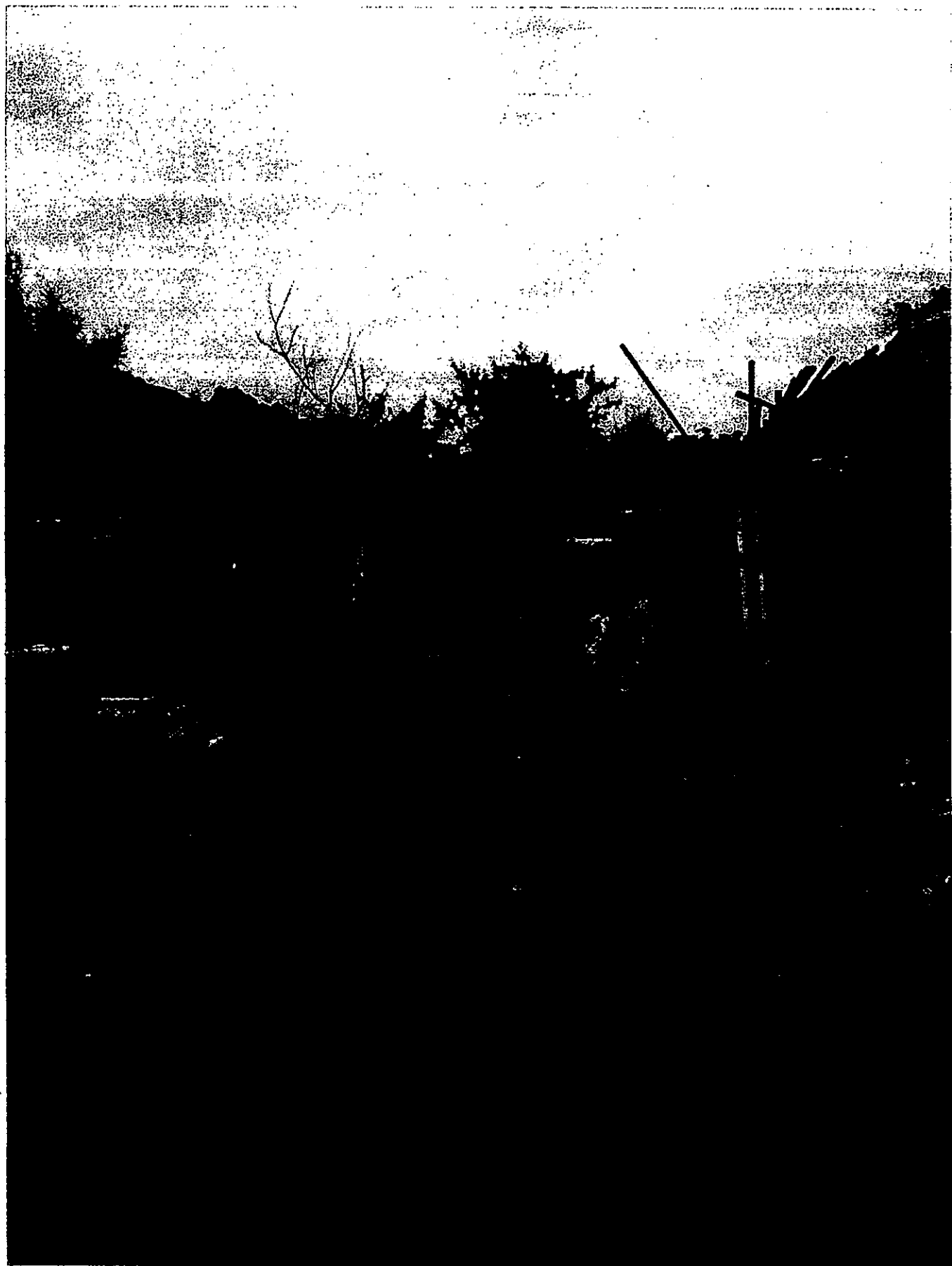
SMO-P01 20201119114247 10

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附圖1

申請編號: A/KTN/74



車輛由上鄉路駛入

此位臨時可停泊5.5噸以下的車輛,不會影響場外的車輛,每天最多一架次的車輛出入,亦有專人指揮車輛出入,車輛到落貨區後用人手搬運,落貨時間:星期一至星期六AM:9:00-17:00。

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

3. Applications in New Development Areas (NDAs)

- 3.1. The planning for various NDAs (including potential development areas) in the New Territories has been in progress and the land use proposals for some of these areas have been incorporated as appropriate into relevant statutory town plans. The NDAs will be implemented by phases. While it is envisaged that the existing open storage and port back-up uses in these areas will be gradually phased out, sympathetic consideration may be given to applications for continued operation of these uses during the interim period before the sites are required for NDA development. For applications in NDAs with new/amended OZPs gazetted, the assessment criteria set out in the following paragraphs.
- 3.2. For existing open storage and port back-up uses with previous planning approval(s) and/or permitted under the previous OZPs, sympathetic consideration may be given to the application (irrespective of whether the application is submitted by the applicant of previous approval or a different applicant) until the concerned site is required for implementation of NDA development, provided that the relevant approval conditions, if any, have been complied with. Technical assessments, where appropriate, should be submitted to demonstrate that the continued operation of the current uses would not have adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas and the concerns of the departments and local residents, if any, can be addressed through the implementation of the approval conditions.
- 3.3. In view of the impending implementation of NDAs, new open storage and port back-up uses are generally not encouraged to infiltrate into the NDAs. There is a general presumption against such uses at greenfield areas and/or at sites with land use compatibility issue, e.g. in close proximity to existing residential dwellings which may be subject to environmental nuisances caused by the OS and PBU uses. Applications will normally be rejected unless under exceptional circumstances.

- 3.4. Any approved temporary use and development should not jeopardize the long-term planned development on the respective site/the surrounding area under the NDA and the applicant should be advised that the site would be required by the government at any time during the planning approval period for implementation of government projects.
- 3.5. The above paragraphs are applicable to areas covered by the Kwu Tung North/Fanling North NDA and Hung Shui Kiu/Ha Tsuen NDA, as well as future NDAs upon the gazetting of the relevant new/amended OZPs for such areas.
-



世界自然基金會
香港分會

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

9 Mar 2021

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)

By E-mail ONLY

Dear Sir/Madam,

RE: Proposed Temporary Open Storage of Metal Scaffold with Ancillary Rest Room and Tool Room for a Period of 3 Years in "Green Belt", "Government, Institution or Community" and area shown as "Road" in Fung Kong Shan in Kwu Tung North (A/KTN/74)

We would like to show concern to the captioned:

Suspected "Destroy first, develop later" approach adopted

According to the Google Earth's aerial image in Fig 1, the site was paved and likely used as open storage in November of 2020. While we cannot access any information if the site is now associated with unauthorized development, we would like to ask the Town Planning Board to request relevant departments to investigate if unlawful development has happened at the application site. If that were the case, we would like to remind the Town Planning Board to proactively deter "Destroy first, develop later" planning applications so as to be consistent with the Government press release on 4 July 2011 which stated that *"the Board is determined to conserve the rural and natural environment and will not tolerate any deliberate action to destroy the rural and natural environment in the hope that the Board would give sympathetic consideration to subsequent development on the site concerned"*¹.

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



together possible

¹ <http://www.info.gov.hk/gia/general/201107/04/P201107040255.htm>.

寄件人：香港特別行政區政府
新界民政處，大棠灣村，CBS

諮詢顧問：香港立憲監察委員會諮詢顧問公司
諮詢顧問：香港立憲監察委員會

Petion: The Honourable Mrs. Carrie Lam Cheng Yuet-ngor, GBM, GBS
The Chief Executive of the HKSAR
Chairman: Mr. Daniel F. Bredshaw
CEO: Mr. Peter Cornthwaite

Honorary Auditors: BDO Limited
Honorary Company Secretary:
Mr. John S. Scordis
Honorary Treasurer: HSBC
Registered Charity
(Incorporated With Limited Liability)

註冊名稱 Registered Name: 世界自然基金會 World Wide Fund For Nature Hong Kong
(該基金在香港註冊為有限公司，在香港以有限責任經營)

Sincerely yours,

Tobi Lau (Mr.)

Manager, Conservation Policy

Fig 1 Aerial view of the application site in Nov of 2020 with an open storage alike operating at the site



Image source: Google Earth. Access on 9 Mar 2021.

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

210305-152456-60005

提交限期**Deadline for submission:**

09/03/2021

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

05/03/2021 15:24:56

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

A/KTN/74

「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，住屋過於密集地方設臨時露天存放金屬棚架及附屬休息室及工具室（為期3年）商業活動，將引至附近環境污染，增加引發火警危機，影響村民安全及生活質數。

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To : Secretary, Town Planning Board

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

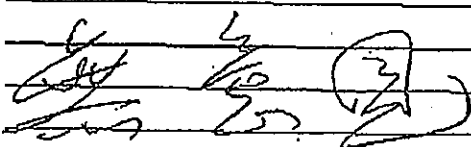
By Fax : 2877 0245 or 2522 8426

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

有關的規劃申請編號 The application no. to which the comment relates
A/KTN/74

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)



「提意見人」姓名/名稱 Name of person/company making this comment 侯志強

簽署 Signature



日期 Date 24 FEB 2021



Advisory Clauses

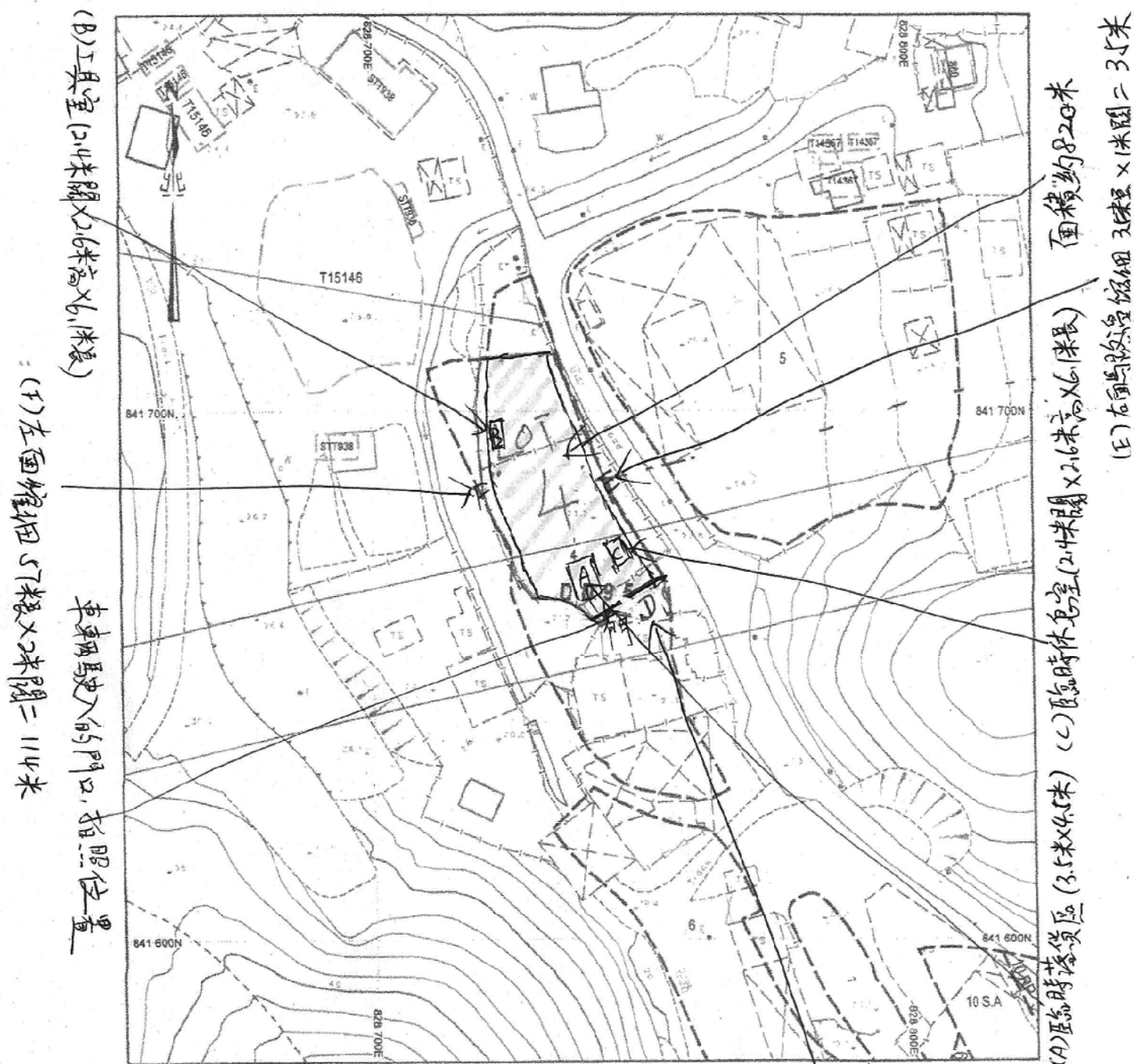
- (a) The Site falls within the Remaining Phase of Kwu Tung North New Development Area (KTN NDA) project. The Site may be resumed by the Government at any time during the planning approval period for the implementation of government projects.
- (b) To note the comments of the Project Manager/North, Civil Engineering and Development Department (PM/N, CEDD) that according to the latest implementation programme of the project, they aim to commence the construction works for the remaining phase of KTN NDA in 2024.
- (c) To note the comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD) that owner of the Lot/occupier shall apply to his office for Short Term Wavier and Short Term Tenancy to cover the captioned temporary structures and the Government Land being occupied. Such applications will be considered by his department acting in the capacity as landlord at its sole discretion and there is no guarantee that such terms and conditions, including but not limited to payment to fees and premium, to be imposed by his department.
- (d) To follow the environmental mitigation measures as set out in the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" issued by the Director of Environmental Protection (DEP) in order to minimize any possible environmental nuisances as advised by DEP.
- (e) To note the comments of the Commissioner for Transport (C for T) that the vehicular access between the Site and Ho Sheung Heung Road is not managed by Transport Department. The applicant should seek comment from the responsible party.
- (f) To note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that approval of the application does not imply approval of tree works such as pruning, transplanting and felling under lease. The applicant should seek comments and approval from the relevant authority on the proposed tree works and compensatory planting proposal, where appropriate.
- (g) To note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) as follows:
 - i if the existing structures are erected on leased land without approval of the BD (not being a New Territories Exempted House), they are unauthorized under the Building Ordinance (BO) and should not be designated for any approved use under the captioned application;
 - ii before any new building works to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained unless they are exempted building works or commenced under the simplified requirements under the Minor Works Control System. Otherwise they are Unauthorized Building Works (UBW). An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO;

- iii for UBW erected on leased land, enforcement action may be taken by the BA to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO;
 - iv any temporary shelters, converted containers or any structures for storage, rest room or other uses are considered as temporary buildings are subject to the control of Part VII of the Building (Planning) Regulations;
 - v the Site shall be provided with means of obtaining access thereto from a street under the Building (Planning) Regulation 5 and emergency vehicular access shall be provided under the Building (Planning) Regulation 41D;
 - vi if the Site is not abutting on a specified street having a width not less than 4.5m, the development intensity shall be determined by BA under the Building (Planning) Regulation 19(3) at building plan submission stage; and
 - vii formal submission under the BO is required for any proposed new works. Detailed comments under BO will be provided at the building plan submission stage.
- (h) To note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that the applicant is advised to adopt preventive measures to avoid adverse impact to the watercourse.
- (i) To note the comments of the Director of Fire Services as follows:
- i the layout plans to be submitted to his department should be drawn to scale and depicted with dimensions and nature of occupancy'
 - ii the location of where the proposed fire service installations to be installed should be clearly marked on the layout plans;
 - iii "Good Practice Guidelines for Open Storage" should be adhered to; and
 - iv if the proposed structure(s) is required to comply with the BO (CAP.123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.
- (j) To note the comments of the Director of Electrical and Mechanical Services as follows:
- i please observe the requirements of minimum safety clearance, minimum vertical clearance and preferred working corridor of the concerned overhead lines as stipulated in Clause 2.3.5, 2.3.6 and 2.3.14 under Chapter 7 – Utility Services of the HKPSG published by the Planning Department and ensure they shall be maintained at any time during and after construction;
 - ii No scaffolding, crane and hoist shall be built or operated within 6m from the

outermost 400kV conductors at all times. Warning notices should be posted at conspicuous locations to remind operators and workers of the site boundary. CLP power shall be consulted on the safety precautions required for carrying out any works near the concerned overhead lines;

- iii The Electricity Supply Lines (Protection) Regulation and the "Code of Practice on Working near Electricity Supply Lines" established under the Regulation shall be observed by the applicant and his contractors when carrying out works in the vicinity of the electricity supply lines.
- iv As regards the electric and magnetic fields arising from the transmission overhead lines, the applicant should be warned of possible undue interference to some electronic equipment in the vicinity, if any:

地段索引圖 LOT INDEX PLAN



地政總署測繪處 Survey and Mapping Office, Lands Department

比例尺 SCALE 1:1000

米 metres 10 0 10 20 30 40 50 metres

Locality :
 Lot Index Plan No. : TP0093112020
 District Survey Office : Tai Po
 Date : 19-Nov-2020
 Reference No. : 2-SE-5A

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 SMO-P01 20201119114247 10

摘要說明：本地段索引圖在其背景的地形圖上標示了各種永久和短期持有的土地的圖象界線。這些土地包括私人地段、政府地段、短期租約的地段，以及其他作預用途的土地。請注意：(1)本索引圖上的資料會按不時更新而不作事先通知；(2)索引圖的更新或會延誤於有關資料的實際變更；以及(3)本索引圖中顯示的界線僅供識別之用，資料是否準確可靠，應徵詢專業土地測量師的意見。

Explanatory notes: This plan shows the graphical boundaries of different kinds of permanent and temporary land holdings with the topographic map in the background. The land holdings as shown may include private lots, government land allocations, short term tenancies and other permitted uses of land. It must be noted that: (1) the information shown on this plan is subject to update without prior notification; (2) there may be time lag between an update and the related changes taken place; and (3) the graphical boundaries as shown are for identification purpose only and interpretation of their accuracy and reliability requires the advice from professional land surveyor.



要覽圖 KEY PLAN

SCALE 1 : 50 000 比例尺

GB



申請地點界線只作識別用
APPLICATION SITE BOUNDARY
FOR IDENTIFICATION PURPOSE ONLY

位置圖 LOCATION PLAN

本摘要圖於2021年6月22日擬備，
所根據的資料為於2015年6月16日核准的
分區計劃大綱圖編號S/KTN/2
EXTRACT PLAN PREPARED ON 22.6.2021
BASED ON OUTLINE ZONING PLAN
No. S/KTN/2 APPROVED ON 16.6.2015

臨時露天存放金屬棚架及附屬休息室及工具室（為期3年）
古洞北丈量約份第95約地段第4號（部份）
TEMPORARY OPEN STORAGE OF METAL SCAFFOLD
WITH ANCILLARY REST ROOM AND TOOL ROOM FOR A PERIOD OF 3 YEARS
LOT 4 (PART) IN D.D. 95, KWU TUNG NORTH

SCALE 1 : 5 000
METRES 100 0 100 200 METRES

規劃署
PLANNING
DEPARTMENT

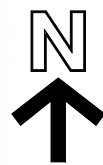


參考編號
REFERENCE No.

A/KTN/74

圖 PLAN

A-1



圖例 LEGEND



申請地點（界線只作識別用）
APPLICATION SITE
(BOUNDARY FOR IDENTIFICATION
PURPOSE ONLY)



擬議入口／出口
PROPOSED INGRESS / EGRESS

本摘要圖於2021年6月21日擬備，所根據的資料為地政總署於2020年4月15日拍得的航攝照片編號 E093298C
EXTRACT PLAN PREPARED ON 21.6.2021
BASED ON AERIAL PHOTO No.
E093298C TAKEN ON 15.4.2020
BY LANDS DEPARTMENT

航攝照片 AERIAL PHOTO

臨時露天存放金屬棚架及附屬休息室及工具室（為期3年）
古洞北丈量約份第95約地段第4號（部份）
TEMPORARY OPEN STORAGE OF METAL SCAFFOLD
WITH ANCILLARY REST ROOM AND TOOL ROOM FOR A PERIOD OF 3 YEARS
LOT 4 (PART) IN D.D. 95, KWU TUNG NORTH

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/KTN/74

圖 PLAN
A-3



申請地點界線只作識別用
APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTO

本摘要圖於2021年6月29日擬備，
所根據的資料為攝於
2021年6月25日的實地照片
PLAN PREPARED ON 29.6.2021
BASED ON SITE PHOTOS
TAKEN ON 25.6.2021

臨時露天存放金屬棚架及附屬休息室及工具室（為期3年）
古洞北丈量約份第95約地段第4號（部份）
TEMPORARY OPEN STORAGE OF METAL SCAFFOLD
WITH ANCILLARY REST ROOM AND TOOL ROOM FOR A PERIOD OF 3 YEARS
LOT 4 (PART) IN D.D. 95, KWU TUNG NORTH

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/KTN/74

圖 PLAN
A-4a



本摘要圖於2021年6月29日擬備，
所根據的資料為攝於
2021年6月25日的實地照片
PLAN PREPARED ON 29.6.2021
BASED ON SITE PHOTOS
TAKEN ON 25.6.2021

實地照片 SITE PHOTO

臨時露天存放金屬棚架及附屬休息室及工具室（為期3年）
古洞北丈量約份第95約地段第4號（部份）
TEMPORARY OPEN STORAGE OF METAL SCAFFOLD
WITH ANCILLARY REST ROOM AND TOOL ROOM FOR A PERIOD OF 3 YEARS
LOT 4 (PART) IN D.D. 95, KWU TUNG NORTH

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/KTN/74

圖 PLAN
A-4b

**Extract of Minutes of the
Rural and New Town Planning Committee Meeting held on 9.7.2021**

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KTN/74 Temporary Open Storage of Metal Scaffold with Ancillary Rest Room and Tool Room for a Period of 3 Years in “Green Belt”, “Government, Institution or Community” Zones and area shown as ‘Road’, Lot 4 (Part) in D.D. 95, Kwu Tung North, Sheung Shui
(RNTPC Paper No. A/KTN/74A)

43. The Secretary reported that the application site (the Site) was located in Kwu Tung North. Dr C.H. Hau had declared an interest on the item for owning a property in Kwu Tung North area. As the property owned by Dr C.H. Hau had no direct view of the Site, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

44. Ms S.H. Lam, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the temporary open storage of metal scaffold with ancillary rest room and tool room for a period of three years;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, three public comments, including

two objecting comments from World Wide Fund for Nature Hong Kong and an individual and one comment from an individual indicating no comment, were received. Major views were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The applied use was not in line with the planning intention of the 'Road' designation. The application site fell within the boundary of Remaining Phase of the Kwu Tung North New Development Area (KTN NDA) project, with the construction works for the First Phase commenced in 2019 and the Remaining Phase scheduled for commencement in 2024 tentatively. The applied use was not in line with the Town Planning Board Guidelines No. 13F in that the implementation of the KTN NDA project had commenced and the applied use was not covered by any previous planning approval for open storage use. The Commissioner for Transport commented that he was not able to conclude that the application was acceptable as the applicant had not addressed his comments on the application. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments received and local views conveyed by the District Officer (North) of Home Affairs Department, the comments of government departments and planning assessments above were relevant.

45. Members had no question on the application.

Deliberation Session

46. After deliberation, the Committee decided to reject the application. The reasons were:

- “(a) the applied use is not in line with the planning intention of the area reserved for 'Road' which is primarily intended for road use. No strong planning justification has been given in the submission for a departure from the

planning intention, even on a temporary basis;

- (b) the applied open storage use does not comply with the Town Planning Board Guidelines No. 13F for Application for Open Storage and Port Back-up Uses in that there is no previous approval for open storage granted for the site; and
- (c) the applicant fails to demonstrate in the submission that the applied use would not result in adverse traffic impact.”

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

來函編號 Your Reference:

覆函請註明本會編號

In reply please quote this ref.: TPB/A/KTN/74/

By Post & Fax (

23 July 2021

Hui Man Wei

Dear Sir/Madam,

Temporary Open Storage of Metal Scaffold with Ancillary Rest Room and Tool Room for a Period of 3 Years in "Green Belt", "Government, Institution or Community" Zones and area shown as 'Road', Lot 4 (Part) in D.D. 95, Kwu Tung North, Sheung Shui

I refer to my letter to you dated 7.6.2021.

After giving consideration to the application, the Town Planning Board (TPB) decided to reject the application and the reasons are :

- (a) the applied use is not in line with the planning intention of the area reserved for 'Road' which is primarily intended for road use. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the applied open storage use does not comply with the TPB Guidelines No. 13F for Application for Open Storage and Port Back-up Uses in that there is no previous approval for open storage granted for the site; and
- (c) you fail to demonstrate in the submission that the applied use would not result in adverse traffic impact.

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 9.7.2021, in both English and Chinese, 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 13.8.2021). 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.

Under the Town Planning Ordinance, the TPB can only reconsider at the review hearing the original application in the light of further written and/or oral representations. Should you decide at this stage to materially modify the original proposal, such proposal should be submitted to the TPB in the form of a fresh application under section 16 of the Town Planning Ordinance.

If you wish to seek further clarifications/information on matters relating to the above decision, please feel free to contact Ms. S.H. Lam of Fanling, Sheung Shui & Yuen Long East District Planning Office at 3168 4035.

Yours faithfully,



(Raymond KAN)
for Secretary, Town Planning Board

(With Chinese Translation)

城市規劃委員會秘書處

S17 Review

21/2/2021

本人許文園現提出覆核根據第

17(1)條申請申請編號TPB/A/KTN/74

許文園

30-7-2021

RECEIVED

2021 JUL 30 P 1:09

TOWN PLANNING BOARD

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To : Secretary, Town Planning Board

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax : 2877 0245 or 2522 8426

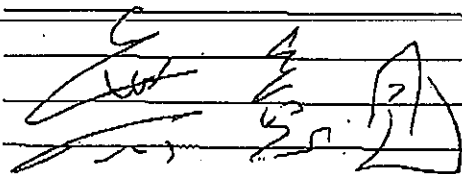
By e-mail : tpbpd@pland.gov.hk

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

A/KTN/74

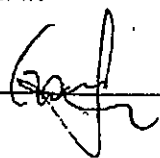
意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)



「提意見人」姓名/名稱 Name of person/company making this comment 侯志強

簽署 Signature



日期 Date

19 AUG 2021



Advisory Clauses

- (a) The Site falls within the Remaining Phase of Kwu Tung North New Development Area (KTN NDA) project. The Site may be resumed by the Government at any time during the planning approval period for the implementation of government projects.
- (b) To note the comments of the Project Manager/North, Civil Engineering and Development Department (PM/N, CEDD) that according to the latest implementation programme of the project, they aim to commence the construction works for the remaining phase of KTN NDA in 2024.
- (c) To note the comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD) that owner of the Lot/occupier shall apply to his office for Short Term Wavier and Short Term Tenancy to cover the captioned temporary structures and the Government Land being occupied. Such application will be considered by his department acting in the capacity as landlord at its sole discretion and there is no guarantee that such application will be approved. If such application are approved, they will be subject to such terms and conditions, including but not limited to payment to fees and premium, to be imposed by his department
- (d) To follow the environmental mitigation measures as set out in the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” issued by the Director of Environmental Protection (DEP) in order to minimize any possible environmental nuisances as advised by DEP.
- (e) To note the comments of the Commissioner for Transport (C for T) that the vehicular access between the Site and Ho Sheung Heung Road is not managed by Transport Department. The applicant should seek comment from the responsible party.
- (f) To note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that approval of the application does not imply approval of tree works such as pruning, transplanting and felling under lease. The applicant should seek comments and approval from the relevant authority on the proposed tree works and compensatory planting proposal, where appropriate.
- (g) To note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) as follows:
 - i if the existing structures are erected on leased land without approval of the BD (not being a New Territories Exempted House), they are unauthorized under the Building Ordinance (BO) and should not be designated for any approved use under the captioned application;
 - ii before any new building works to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained unless they are exempted building works or commenced under the simplified requirements under the Minor Works Control System. Otherwise they are Unauthorized Building Works (UBW). An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO;

- iii for UBW erected on leased land, enforcement action may be taken by the BA to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO;
 - iv any temporary shelters, converted containers or any structures for storage, rest room or other uses are considered as temporary buildings are subject to the control of Part VII of the Building (Planning) Regulations;
 - v the Site shall be provided with means of obtaining access thereto from a street under the Building (Planning) Regulation 5 and emergency vehicular access shall be provided under the Building (Planning) Regulation 41D;
 - vi if the Site is not abutting on a specified street having a width not less than 4.5m, the development intensity shall be determined by BA under the Building (Planning) Regulation 19(3) at building plan submission stage; and
 - vii formal submission under the BO is required for any proposed new works. Detailed comments under BO will be provided at the building plan submission stage.
- (h) To note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that the applicant is advised to adopt preventive measures to avoid adverse impact to the watercourse.
- (i) To note the comments of the Director of Fire Services as follows:
- i the layout plans to be submitted to his department should be drawn to scale and depicted with dimensions and nature of occupancy;
 - ii the location of where the proposed fire service installations to be installed should be clearly marked on the layout plans;
 - iii "Good Practice Guidelines for Open Storage" should be adhered to; and
 - iv if the proposed structure(s) is required to comply with the BO (CAP.123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.
- (j) To note the comments of the Director of Electrical and Mechanical Services as follows:
- i please observe the requirements of minimum safety clearance, minimum vertical clearance and preferred working corridor of the concerned overhead lines as stipulated in Clause 2.3.5, 2.3.6 and 2.3.14 under Chapter 7 – Utility Services of the HKPSG published by the Planning Department and ensure they shall be maintained at any time during and after construction;
 - ii no scaffolding, crane and hoist shall be built or operated within 6m from the

outermost 400kV conductors at all times. Warning notices should be posted at conspicuous locations to remind operators and workers of the site boundary. CLP power shall be consulted on the safety precautions required for carrying out any works near the concerned overhead lines;

- iii in any time during and after construction, CLP Power shall be allowed to get access to the working corridor area of the concerned overhead lines for carrying out any operation, maintenance and repair work including tree trimming;
- iv the Electricity Supply Lines (Protection) Regulation and the "Code of Practice on Working near Electricity Supply Lines" established under the Regulation shall be observed by the applicant and his contractors when carrying out works in the vicinity of the electricity supply lines; and
- v as regards the electric and magnetic fields arising from the transmission overhead lines, the applicant should be warned of possible undue interference to some electronic equipment in the vicinity, if any.

