

RNTPC Paper No. A/NE-LT/757  
For Consideration by the  
Rural and New Town Planning  
Committee on 19.5.2023

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/NE-LT/757**

- Applicants** : Mr. CHUNG Chi Wing  
Mr. CHUNG Chi Hung  
Mr. CHUNG Brian Chi Wah  
Mr. CHUNG Duncan Chi Tong  
Ms. LEUNG Chiu Kwan  
all represented by Mr. LEE Ting Yau
- Site** : Lots 1055 S.B ss.5 RP and 1055 S.B ss.4 in D.D. 8, San Tong, Lam Tsuen, Tai Po
- Site Area** : About 370m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Lam Tsuen Outline Zoning Plan (OZP) No. S/NE-LT/11
- Zonings** : “Agriculture” (“AGR”) (about 97%)  
Area shown as ‘Road’ (about 3%)<sup>1</sup>
- Application** : Temporary Private Vehicle Park (Private Cars Only) for a Period of Three Years and Filling of Land

**1. The Proposal**

- 1.1 The applicants seek planning permission for a temporary private vehicle park (private cars only) for a period of three years at the application site (the Site), which falls within an area largely zoned “AGR” on the OZP (**Plan A-1**). According to the Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years as well as filling of land in “AGR” zone require planning permission from the Town Planning Board (the Board). The Site is currently used for the applied use without any valid planning permission.
- 1.2 According to the applicants, the temporary private vehicle park provides nine parking spaces for private cars serving local villagers. The applied filling of land involves an area of 370m<sup>2</sup> at a depth of about 0.05m on the Site. The operating hours of the temporary car park would be 24 hours daily (including public holidays). The Site is accessible from Lam Kam Road via a local track. A plan showing the layout and vehicular ingress/egress of the car park is at **Drawing A-2**.

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<sup>1</sup> A very minor portion of the Site (about 10m<sup>2</sup> or 3%) falls within an area shown as ‘Road’, which can be considered as minor boundary adjustment and will not be included in the planning assessments.

- 1.3 The Site is the subject of a previous application (No. A/NE-LT/746) submitted by the same applicants for the same applied use (**Plans A-1 and A-2a**). It was rejected by the Rural and New Town Planning Committee (the Committee) on 9.12.2022. Details of previous application are set out in paragraph 5 below. Compared with the previous application, the development parameters are generally the same.
- 1.4 In support of the application, the applicants have submitted an Application Form with attachment received on 30.3.2023 (**Appendix I**).

## **2. Justifications from the Applicants**

The justifications put forth by the applicants in support of the application are set out at **Appendix I** as summarized below:

- (a) the Site is not suitable for farming activities and currently left idle;
- (b) the Site is located in close proximity to San Tong Tsuen. The applied use will better utilize the vacant land and meet the parking demand of the villagers. It will not cause adverse environmental and water quality impacts; and
- (c) the application is supported by the representative of San Tong Tsuen and a former Tai Po District Council member.

## **3. Compliance with the “Owner’s Consent/Notification” Requirements**

The applicants are the sole “current land owners”. Detailed information would be deposited at the meeting for Members’ inspection.

## **4. Background**

The Site is part of the subject of a planning enforcement case (No. E/NE-LT/79) against unauthorized development (UD) involving parking of vehicles and storage use (**Plan A-2**). Reinstatement Notice (RN) was issued on 9.8.2022 requiring reinstatement of the concerned land. As the Site has not been reinstated upon expiry of the RN on 9.11.2022, prosecution action may be undertaken.

## **5. Previous Application**

The Site is the subject of a previous application (No. A/NE-LT/746) submitted by the same applicants for the same applied use. It was rejected by the Committee in December 2022 mainly for being not in line with the planning intention of the “AGR” zone; and the applicants failed to demonstrate that the applied use located within the water gathering grounds (WGG) would not cause adverse impact on the water quality in the area.

**6. Similar Application**

There is no similar application for the same use within the same “AGR” zone.

**7. The Site and Its Surrounding Areas (Plans A-1 to A-4)**

7.1 The Site is:

- (a) hard paved with concrete and currently vacant;
- (b) situated at the northwestern fringe of San Tong Tsuen;
- (c) accessible via a local track connecting Lam Kam Road; and
- (d) located within the upper indirect WGG.

7.2 The surrounding areas are predominantly rural in character comprising small houses, farmland, vegetated areas and clusters of tree groups. To its immediate southeast is the village proper of San Tong Tsuen. To its immediate north is Lam Kam Road.

**8. Planning Intention**

8.1 The planning intention of the “AGR” zone is 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.

8.2 According to the Explanatory Statement of the OZP, as filling of land may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities in the “AGR” zone.

**9. Comments from Relevant Government Departments**

9.1 Apart from the government departments as set out in paragraph 9.2 below, other departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and recommended advisory clauses are provided at **Appendices III** and **VI** respectively.

9.2 The following government departments have been consulted and their views on the application are summarized as follows:

**Agriculture**

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

- (a) the Site is a piece of vacant land. There are active agricultural activities in the vicinity and agricultural infrastructure such as road access and water source is available; and

- (b) the Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc. As the Site possesses potential for agricultural rehabilitation, the application is not supported from agricultural development point of view.

### **Water Supply**

#### 9.2.2 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

- (a) the Site is within upper indirect WGG. It is considered that there are risks of contamination to the WGG due to the operation and management of the private vehicle park; and
- (b) having reviewed the submission, it is considered that the information is insufficient to prove and demonstrate that there would be no material increase in pollution effect to the WGG resulting from the applied use. Therefore, he has reservation on the application.

### **10. Public Comments Received During Statutory Publication Period**

On 11.4.2023, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual objecting to the application mainly on the grounds that the applicants failed to demonstrate that the applied use located within the WGG would not cause adverse impact on the water quality in the area (**Appendix V**).

### **11. Planning Considerations and Assessments**

- 11.1 The application is for a temporary private vehicle park (private cars only) for a period of three years at the Site zoned “AGR” (**Plan A-1**). The applied use is not in line with the planning intention of the “AGR” zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. DAFC does not support the application from agricultural development point of view as the Site possesses potential for agricultural rehabilitation. There is no strong justification in the submission for a departure from the planning intention of “AGR” zone, even on a temporary basis.
- 11.2 The Site is situated at the northwestern fringe of San Tong Tsuen. It is part of the subject of a planning enforcement case against unauthorized car parking and storage uses. Past aerial photos reveal that vegetation within the Site and its immediate surroundings has been cleared since 2018 (**Plan A-3**). CTP/UD&L of PlanD states that the site is occupied by some private cars with some self-seeded vegetation at the periphery. Significant adverse impact on the landscape character and the existing landscape resources within the site arising from the applied use is not anticipated.

- 11.3 The applied use involves nine parking spaces for private cars. The applicants indicate that the parking spaces are for the use of nearby villagers. C for T has no objection to the application from traffic engineering point of view.
- 11.4 The Site is the subject of a previous application (No. A/NE-LT/746) submitted by the same applicants for the same applied use. It was rejected by the Committee in 2022 mainly for being not in line with the planning intention of the “AGR” zone; and the applicants failed to demonstrate that the applied use located within the WGG would not cause adverse impact on the water quality in the area. In submitting the current application, the applicants have not provided any information to address the concern on impact on water quality. CE/C, WSD has reservation on the application as he considers that the applicants fail to demonstrate that there would be no material increase in pollution effect to the WGG resulting from the applied use. The planning circumstances for rejecting the latest previous application are applicable to the current application.
- 11.5 Filling of land within “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the adjacent areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department and Director of Environmental Protection have no adverse comment from the drainage and environmental perspectives.
- 11.6 However, there is no similar application within the same “AGR” zone under the OZP. Approval of the application would encourage similar applications within the “AGR” zone, resulting in more vegetated areas being turned into hard paved areas. It would set an undesirable precedent for similar applications within the “AGR” zone and encourage similar site/vegetation clearance prior to obtaining planning permission. The cumulative effect of approving such similar applications would result in a general degradation of the rural environment of the area.
- 11.7 Regarding the public comment objecting to the application as detailed in paragraph 10 above, comments of government departments and the planning assessments above are relevant.

## **12. Planning Department’s Views**

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comment mentioned in paragraph 10, the Planning Department does not support the application for the following reasons:
- (a) the development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis; and
  - (b) the applicants fail to demonstrate that the development located within

the water gathering ground would not cause adverse impact on the water quality in the area.

- 12.2 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 three years until 19.5.2026. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) no vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on the Site at any time during the planning approval period;
- (b) only private car as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period;
- (c) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 19.11.2023;
- (d) in relation to (c) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 19.2.2024;
- (e) the submission of a proposal on grease trap and petrol interceptor within 6 months from the date of planning approval to the satisfaction of the Director of Water Supplies or of the Town Planning Board by 19.11.2023;
- (f) in relation to (e) above, the implementation of the proposal on grease trap and petrol interceptor within 9 months from the date of planning approval to the satisfaction of the Director of Water Supplies or of the Town Planning Board by 19.2.2024;
- (g) the submission of a fire service 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 19.11.2023;
- (h) in relation to (g) above, the implementation of the fire service installations proposal 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 19.2.2024;
- (i) if any of the above planning condition (a) or (b) 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;
- (j) if any of the above planning condition (c), (d), (e), (f), (g) or (h) 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

- (k) upon 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 Town Planning Board.

#### Advisory Clauses

The recommended advisory clauses are attached at **Appendix III**.

### **13. Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 Should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicants.
- 13.3 Alternatively, should the Committee decide to approve the application, Members are invited to consider the approval conditions 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.

### **14. Attachments**

Appendix I	Application form and attachment received on 30.3.2023
Appendix II	Previous application
Appendix III	Government departments' general comments
Appendix IV	Recommended advisory clauses
Appendix V	Public comment
Appendix VI	"Conditions for Working within Water Gathering Grounds" issued by Water Supplies Department
Drawings A-1 and 2	Site plan and Parking layout submitted by the applicants
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photos
Plan A-4	Site photos

**PLANNING DEPARTMENT  
MAY 2023**

2023年 3月 3 日

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

30 MAR 2023

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

Appendix I of RNTPC  
Paper No. A/NE-LT/757

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](https://www.info.gov.hk/tpb/en/plan_application/apply.html)

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

**General Note and Annotation for the Form**

**填寫表格的一般指引及註解**

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

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

& Please attach documentary proof 請夾附證明文件

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

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

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

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

2300822 2/3 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/NE-LT/787
	Date Received 收到日期	30 MAR 2023

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

## 1. Name of Applicant 申請人姓名/名稱

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

CHUNG CHI WING / 鍾志榮 CHUNG DUNCAN CHITONG Mrs. LEUNG CHIU KWAN  
 CHUNG BRIAN CHI WAH / 鍾志華 鍾志望  
 CHUNG CHI HUNG / 鍾志鴻 梁照群

## 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 )

李丁有

## 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)

大埔林村新塘村路口  
 DD8 1055 SB 555 RP 312 平方米  
 DD8 1055 SB 554 58 平方米

(b) Site area and/or gross floor area involved  
 涉及的地盤面積及/或總樓面面積

☒ Site area 地盤面積 370 sq.m 平方米 ☐ About 約  
☐ Gross floor area 總樓面面積 sq.m 平方米 ☐ About 約

(c) Area of Government land included (if any)  
 所包括的政府土地面積(倘有)

sq.m 平方米 ☐ About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	S/NE-LT/11
(e) Land use zone(s) involved 涉及的土地用途地帶	農業用途及道路
(f) Current use(s) 現時用途	臨時私人泊車處  (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

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

The applicant 申請人 -

- ☒ is the sole "current land owner"<sup>#</sup> (please proceed to Part 6 and attach documentary proof of ownership).  
是唯一的「現行土地擁有人」<sup>#</sup> (請繼續填寫第 6 部分，並夾附業權證明文件)。
- ☐ is one of the "current land owners"<sup>#</sup> (please attach documentary proof of ownership).  
是其中一名「現行土地擁有人」<sup>#</sup> (請夾附業權證明文件)。
- ☐ is not a "current land owner"<sup>#</sup>.  
並不是「現行土地擁有人」<sup>#</sup>。

- ☐ The application site is entirely on Government land (please proceed to Part 6).  
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

#### 5. Statement on Owner's Consent/Notification 就土地擁有人的同意/通知土地擁有人的陳述

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

(b) The applicant 申請人 -

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

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

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

- ☐ has notified ..... "current land owner(s)"<sup>#</sup>  
已通知 ..... 名「現行土地擁有人」<sup>#</sup>。

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

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

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

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

- ☐ sent request for consent to the "current land owner(s)" on \_\_\_\_\_ (DD/MM/YYYY)<sup>#&</sup>  
於 \_\_\_\_\_ (日/月/年)向每一名「現行土地擁有人」"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)<sup>&</sup>  
於 \_\_\_\_\_ (日/月/年)在指定報章就申請刊登一次通知<sup>&</sup>
- ☐ posted notice in a prominent position on or near application site/premises on \_\_\_\_\_ (DD/MM/YYYY)<sup>&</sup>  
於 \_\_\_\_\_ (日/月/年)在申請地點／申請處所或附近的顯明位置貼出關於該申請的通知<sup>&</sup>
- ☐ sent notice to relevant owners' corporation(s)/owners' committee(s)/mutual aid committee(s)/management office(s) or rural committee on \_\_\_\_\_ (DD/MM/YYYY)<sup>&</sup>  
於 \_\_\_\_\_ (日/月/年)把通知寄往相關的業主立案法團/業主委員會/互助委員會或管理處，或有關的鄉事委員會<sup>&</sup>

Others 其他

- ☐ others (please specify)  
其他（請指明）

Note: May insert more than one 「✓」.  
Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.  
註: 可在多於一個方格內加上「✓」號  
申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

## 6. Type(s) of Application 申請類別

(A) Temporary Use/Development of Land and/or Building Not Exceeding 3 Years in Rural Areas  
 位於鄉郊地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展  
 (For Renewal of Permission for Temporary Use or Development in Rural Areas, please proceed to Part (B))  
 (如屬位於鄉郊地區臨時用途/發展的規劃許可續期，請填寫(B)部分)

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

臨時停車場(只限私家車)  
 為期三年及相關填土工程。

(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 ..... 370 .....sq.m ☐ About 約  
 Proposed covered land area 擬議有上蓋土地面積 .....sq.m ☐ 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 ☐ About 約  
 Proposed non-domestic floor area 擬議非住用樓面面積 .....sq.m ☐ About 約  
 Proposed gross floor area 擬議總樓面面積 .....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)

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 ..... 9 .....  
 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		星期一至日, 包括公眾假期, 每日24小時	
(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 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)) <u>株錦公路</u>	
	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 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	<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 checked="" type="checkbox"/> Filling of land 填土 Area of filling 填土面積 <u>370</u> ..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填土厚度 <u>0.05</u> ..... 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"/> ..... .....		

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

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

**7. Justifications 理由**

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

大埔林村，新塘村村前兩幅土地 DD8 ,1055SBss5RP 及 1055SBss4 地段，合共為約 370 平方米平方，大埔地政處將該幅土地列入為新塘村村界範圍內，該兩幅土地因沒有水源，不能耕種，荒廢後雜草叢生，蛇鼠出沒，影響環境衛生，有見及此，身為原居民業權人的我們，授權我們舅父，李丁有平整土地，鋪上瀝青碎，申請作為臨時（為期三年）私人停車場，只停泊私家車，一方面善用土地，改善環境，也可舒緩村民泊車位短缺的問題，瀝青碎地面與瀝青馬路相近，故不會破壞環境或污染水源，這處亦沒有水源，不能在這裏洗車，因此雨水就像其他地方一樣流往雨水渠，不會污染水源。

該幅土地距離新塘村村屋不超過三米，再者，林村大部份村落皆有通道，車輛可直接駛入村內停泊於屋前附近，唯獨是新塘村沒有車道，車輛不能直接駛入村內，導致很多車輛在附近馬路違泊，阻礙行人。這停車場的位置就是像在村屋門外泊上幾輛私家車一樣，可見附上的圖片，而 DD8 ,1055SBss4 地段則作為行車通道，這項申請也獲得新塘村村代表溫官球先生及本區前區議員陳灶良太平紳士支持，函件一併附上。

該地段可由林錦公路直接駛入，對周邊環境不會造成任何衝擊，我們亦會關注車場內的清潔及衛生，維持良好的環境，林村很多村落內也泊上頗多的車輛，他們也沒有造成環境污染，我們的停車場只泊上幾輛私家車，相信也不會造成污染環境，請考慮村民的實際需要，予以批准。

**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

*Patrick*  
.....  
*李丁有*  
.....

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

Name in Block Letters  
姓名（請以正楷填寫）

Position (if applicable)  
職位（如適用）

Professional Qualification(s)  
專業資格

☐ Member 會員 / ☐ Fellow of 資深會員

☐ HKIP 香港規劃師學會 / ☐ HKIA 香港建築師學會 /

☐ HKIS 香港測量師學會 / ☐ HKIE 香港工程師學會 /

☐ HKILA 香港園境師學會 / ☐ HKIUD 香港城市設計學會

☐ RPP 註冊專業規劃師

Others 其他

*普通市民*

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

..... (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。

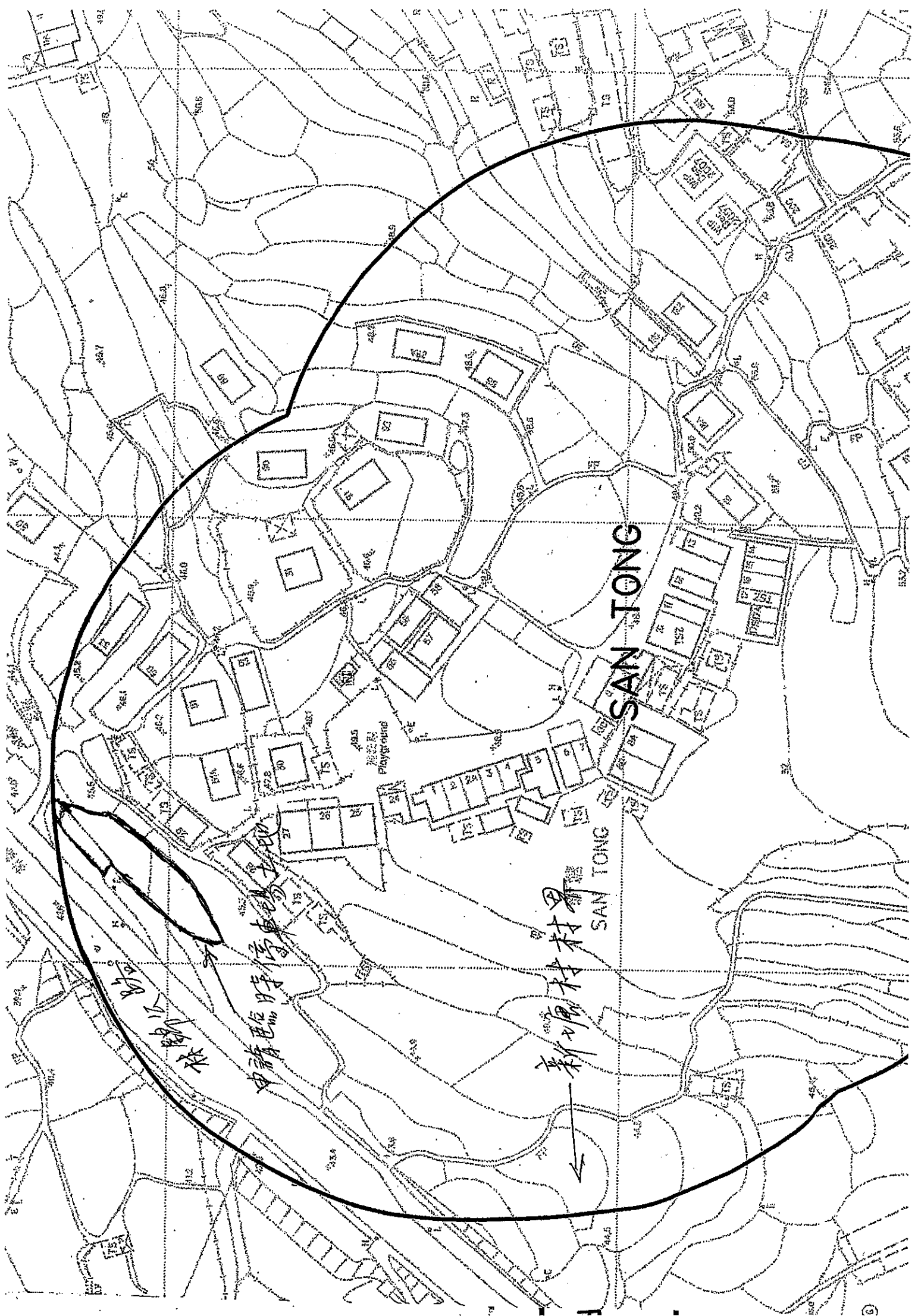
<b>Gist of Application 申請摘要</b> (Please provide details in both English and Chinese <u>as far as possible</u> . This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.) (請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及於規劃署規劃資料查詢處供一般參閱。)	
Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)
Location/address 位置/地址	新界大埔林村, 林錦公路, 新墟村路口 第8約地段1055號B分段第5小分段餘段 第8約地段1055B分段第4小分段
Site area 地盤面積	370 sq. m 平方米 □ About 約 (includes Government land of 包括政府土地 sq. m 平方米 □ About 約)
Plan 圖則	S/NE - LT/11
Zoning 地帶	農業用途及道路
Type of Application 申請類別	<input checked="" type="checkbox"/> Temporary Use/Development in Rural Areas for a Period of 位於鄉郊地區的臨時用途/發展為期 <input checked="" type="checkbox"/> Year(s) 年 <u>3</u> □ Month(s) 月 _____ <input type="checkbox"/> Renewal of Planning Approval for Temporary Use/Development in Rural Areas for a Period of 位於鄉郊地區臨時用途/發展的規劃許可續期為期 <input type="checkbox"/> Year(s) 年 _____ □ Month(s) 月 _____
Applied use/development 申請用途/發展	臨時停車場(只限私家車)為期3年 及相關填土工程

(i) Gross floor area and/or plot ratio 總樓面面積及／或地積比率		sq.m 平方米	Plot Ratio 地積比率
	Domestic 住用	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
	Non-domestic 非住用	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
(ii) No. of block 幢數	Domestic 住用		
	Non-domestic 非住用		
(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	m 米 <input type="checkbox"/> (Not more than 不多於)	
		Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於)	
	Non-domestic 非住用	m 米 <input type="checkbox"/> (Not more than 不多於)	
		Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於)	
(iv) Site coverage 上蓋面積	% <input type="checkbox"/> About 約		
(v) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數  Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明) _____ _____		
	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
<b><u>Plans and Drawings 圖則及繪圖</u></b>		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明） <i>以改位置</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<hr/>		
<b><u>Reports 報告書</u></b>		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估（噪音、空氣及／或水的污染）	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input type="checkbox"/>	<input type="checkbox"/>
<hr/>		
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。









垃圾站

林錦公路

通道往新塘村

DD8 1055SBSS4

DD8 1055SBSS5RP

-  車位
-  停車場通道
-  30厘米地下排水管
-  車場地面鋪上0.05m厚青石碎

DD8 1055SBSS5RP 及 1055SBSS4  
申請為臨時停車場(3年期)  
私人



新界東支部

New Territories East Branch

電話：

傳真：

【郵寄文件】

本函編號：

致規劃署：

敬啟者：

有關林村第8約地段1055號B分段4小分段及1055號B分段5小分餘段  
申請為臨時（3年）私人停車場（申請編號：TPB/A/NE-LT/746）

本人陳灶良在林村曾任區議員多年，至今仍是林村谷社區顧問。對林村  
谷村民需求熟悉，祈望貴署能酌情處理上述申請。

上述兩幅土地合共約為370平方米，地政署將該地段列為村界範圍內，接  
近村屋（可見圖片），土地業權人亦為原居民，為了舒緩村民泊車問題，本人支  
持業權人利用該幅土地作為為期三年的臨時私人停車場。

無論是否批准，再次感謝貴署。如有查詢或需到現場視察請致電  
絡王小姐。

聯

此敬規劃署 署長

鍾文傑，JP

大埔南分區委員會委員

經民聯新界東支部主席

陳灶良 MH, JP

二零二三年二月十四日



致規劃處

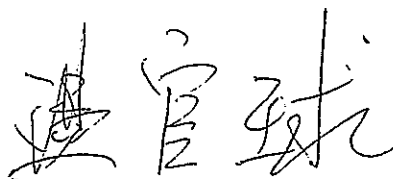
新界林村第 8 約 1055 號 B 分段第 4 小分段及  
1055 號 B 分段第 5 小分段餘段，申請為臨時(3 年)私人停車場

敬啟者：

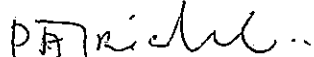
本人李丁有為上述地段業權人授權，將該兩幅土地申請作為期（3 年）臨時私人停車場，該土地距離新塘村原居民丁屋不足三米，地政署亦將該地段列為村界範圍內，業權人亦為原居民，為了解決本村車位嚴重不足，及舒緩村民泊車問題，因此將該地段申請作為臨時私人停車場（為期三年），希望貴處能夠批准。

新塘村代表溫官球先生亦支持業權人利用該土地申請作為臨時私人停車場(3 年期)，方便村民泊車。

新塘村村代表溫官球簽署：



電話：

申請人李丁有簽署： 

電話：

日期：2023 年 2 月 22 日

**Previous Application covering the Application Site**  
**on the Lam Tsuen Outline Zoning Plan**

**Rejected Application**

Application No.	Proposed Development	Date of Consideration	Rejection Reasons
A/NE-LT/746	Temporary Private Vehicle Park (Private Cars Only) for a Period of 3 Years	9.12.2022	R1, R2

**Rejection Reasons**

- R1 The applied use was not in line with the planning intention of the “Agriculture” zone which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There was no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.
- R2 The applicants failed to demonstrate that the use located within the water gathering ground would not cause adverse impact on the water quality in the area.

**Detailed Comments from Relevant Government Departments**

**1. Land Administration**

Comments of the District Lands Officer/Tai Po, Lands Department:

- (a) the application site (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; and
- (b) the subject lots have no right of vehicular access under lease. There is no guarantee that the existing access road can be used as vehicular access to the Site. In the event that the existing access road to the Site encroached onto adjoining private lot(s), the applicants shall liaise with the concerned lot owner(s) for their right of access over these lots.

**2. Landscape**

Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department:

- (a) no objection to the application from landscape planning perspective; and
- (b) the Site is located in an area of settled valleys landscape character comprising village houses, farmlands, vegetated areas and clusters of tree groups. The site is occupied by some private cars with some self-seeded vegetation at the periphery. Significant adverse impact on the landscape resources within the Site arising from the applied use is not anticipated.

**3. Drainage**

Comments of the Chief Engineer/Mainland North, Drainage Services Department:

- (a) no in-principle objection to the application from public drainage viewpoint; and
- (b) if the application is approved, a condition on the submission and implementation of drainage proposal for the Site is required to ensure that it will not cause adverse drainage impact on the adjacent areas.

**4. Fire Safety**

Comments of the Director of Fire Services:

- (a) no in-principle objection to the application subject to the provision of fire service installations (FSIs) to his satisfaction.

**5. Other Departments**

The following departments have no objection to/no adverse comment on the application:

- (a) Chief Highway Engineer/New Territories East, Highways Department;
- (b) Director of Environmental Protection;
- (c) Commissioner for Transport;
- (d) Head of Geotechnical Engineering Office, Civil Engineering and Development Department; and
- (e) District Officer/Tai Po, Home Affairs Department

**Recommended Advisory Clauses**

- (a) to note the comments of the District Lands Office/Tai Po, Lands Department (DLO/TP, LandsD) that:
  - (i) should planning approval be given to the subject planning application, the owners of the lots will need to apply Short Term Wavier from LandsD in order to permit the structures to be erected. Besides, given the applied use is temporary use in nature, only application for erection of temporary structure(s) will be considered; and
  - (ii) application(s) for any of the above will be considered by LandsD acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such application(s) will be approved. If such application is approved, it will be subject to such terms and conditions, including among others the payment of rent or fee, as may be imposed by LandsD;
- (b) to note the comments of the Commissioner for Transport (C for T) that:
  - (i) it is noted that in order to access the parking spaces, vehicles may have to encroach onto the adjacent private lot. The applicants shall make their own arrangement with the concerned landowners for using the road, and the land status, management, maintenance responsibilities of it should be clarified with the relevant lands and maintenance authorities accordingly in order to avoid potential land disputes;
- (c) to note the comments of the Director of Environmental Protection (DEP) that the applicants should follow relevant mitigation measures and requirements in the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimize any potential environment nuisance;
- (d) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
  - (i) the applicants should have their own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from surrounding of the Site, e.g. surface channel of sufficient size along the perimeter of the Site; sufficient openings should be provided at the bottom of the boundary wall/fence to allow surface runoff to pass through the Site if any boundary wall/fence to be erected. Any existing flow path affected should be re-provided. The applicants should neither obstruct overland flow nor adversely affect the existing natural streams, village drains, ditches and the adjacent areas. The applicants are required to maintain the drainage systems properly and rectify/modify the nearby existing/original systems if they are found to be inadequate or ineffective to accommodate the additional runoff arisen from the developments of the Site. The applicants shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure or ineffectiveness of the modified drainage systems caused by their works. Please be reminded that the runoff within the subject premise including the runoff from the rooftop shall be served by a designated stormwater collection and

discharge system and shall not be drained to the public sewerage network;

- (ii) there is DSD's maintained public sewers exist in the vicinity but the feasibility of sewerage connection is subject to the invert level of discharge connection pipe leading from the Site. No stud pipe is reserved for sewerage connection. The applicants should demonstrate the technical feasibility of sewerage connection. Should the applicants choose to dispose of the sewage of the proposed development through other means, view and comments from EPD should be sought;
  - (iii) provision of written consent(s) from relevant lot owner(s) and/or LandsD's permission for laying new drains/channels and/or modifying/upgrading existing ones outside the Site or on government land (where required); and
  - (iv) the cost and works of drainage and sewerage connection as well as future maintenance responsibility should be borne by the applicants;
- (e) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicants are advised to submit relevant layout plans incorporated with the proposed FSIs for his approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSI to be installed should be clearly marked on the layout plans.
- (f) to note the comment of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that:
- (i) in order to safeguard the raw water quality in WGG, the applicants should demonstrate there is no material increase in pollution effect resulting from the applied use including:
    - no discharge of effluent of foul water into adjoining land, stormwater drain, channel, stream or river course is allowed. Such foul water or effluent shall be collected and disposed of outside WGG. All solid waste and sludge arising from the applied use shall be disposed of properly outside WGG. The use and storage of pesticides, herbicides, toxicants, chemical solvents, laticidal oil, rodenticide, tar and petroleum oil are strictly prohibited in WGG. No chemical including fertilizers and detergents shall be used/stored without the prior approval from the Water Authority. Oil leakage and spillage are not allowed within WGG at all time. Oil and grease decontamination kit such as absorbent pads shall be made available to decontaminate any oil leakage or spillage. Control measures, including not allowing oil tanker to park inside the vehicle parking spaces, shall be implemented to avoid oil leakage or spillage in the gathering grounds;
    - the vehicle park and its associated activities shall be located away from any water courses as far as possible. Signage for alerting not to pollute WGG should be displayed. Fencing shall be erected on the sides facing the nearest stream course to trap all wind-blown litters within the site of development. Site surface should be impermeable to oil and grease as far as practicable.

Any soil contaminated with fuel leakage shall be immediately removed off site and the voids arising from removal of contaminated soil shall be replaced by suitable material to the satisfaction of the Water Authority. Vehicle park shall be surrounded by kerbs and drains. Drainage traps such as grease traps and petrol interceptors shall be installed at each of the drainage outlets and shall be under proper maintenance. All such drainage traps shall have sufficient capacity to ensure the proper interception and collection of fuel and lubricants in surface run-off for off-site disposal. Proper maintenance and disposal records should be maintained. Besides vehicle parking, other activities such as on-site vehicle inspection, maintenance, repairing and washing activities shall not be allowed in the proposed development; and

- it is observed that there will be filling of lands by bitumen aggregates at a depth of about 5 centimeters on site. In this regard, the applicants shall prove and demonstrate that no toxic nor harmful substances are leached out from land filling materials.
- (ii) the “Conditions for Working within WGG” (**Appendix V**) shall be complied;
- (iii) some existing water mains inside the Site may be affected. The applicants are required to either divert or protect the water mains found on site. If diversion is required, existing water mains inside the proposed lots are needed to be diverted outside the site boundary of the proposed development to lie in government land. A stripe of land of minimum 1.5m in width should be provided for the diversion of the existing water mains. The cost of diversion of existing water mains upon request will have to be borne by the grantee/applicants; and the grantee/applicants shall submit all the relevant proposal to WSD for consideration and agreement before the works commence; and
- (iv) if diversion is not required, the following conditions shall apply:
- existing water mains are affected as indicated on the site plan and no development which requires resiting of water mains will be allowed. Details of site formation work shall be submitted to the Director of Water Supplies (D of WS) for approval prior to commencement of works. No structures shall be built or materials stored within 1.5m from the centre line(s) of water main(s). Free access shall be made available at all times for staff of the Director of Water Supplies or their contractor to carry out construction, inspection, operation, maintenance and repair works; and
  - no trees or shrubs with penetrating roots may be planted within the Waterworks Reserve or in the vicinity of the water main(s). No change of existing site condition may be undertaken within the aforesaid area without the prior agreement of the D of WS. Rigid root barriers may be required if the clear distance between the proposed tree and the pipe is 2.5m or less, and the barrier must extend below the invert level of the pipe. No planting or obstruction of any kind except turfing shall be permitted within the space of 1.5m around the cover of any valve or within a distance of 1m from any hydrant outlet. Tree planting may be prohibited in the event that the D of WS considers that there is any likelihood of damage being caused to the

water mains.

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



**A/NE-LT/757 DD 8 San Tong, Lam Tsuen**

30/04/2023 04:04

From:

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

File Ref:

Dear TPB Members,

746 – Rejected 709th RNTPC MEETING ON 09.12.2022

(b) the applicants fail to demonstrate that the use located within the water gathering ground would not cause adverse impact on the water quality in the area.

There is no justification to a further application.

Mary Mulvihill

**From:**

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

**Date:** Wednesday, 16 November 2022 2:23 AM CST

**Subject:** A/NE-LT/746 DD 8 San Tong, Lam Tsuen

A/NE-LT/746

Lots 1055 S.B ss.5 RP and 1055 S.B ss.4 in D.D. 8, San Tong, Lam Tsuen

Site area: 370sq.m

Zoning: "Agriculture" and "Area Shown as 'Road'"

Applied use: 9 Vehicle Parking

Dear TPB Members,

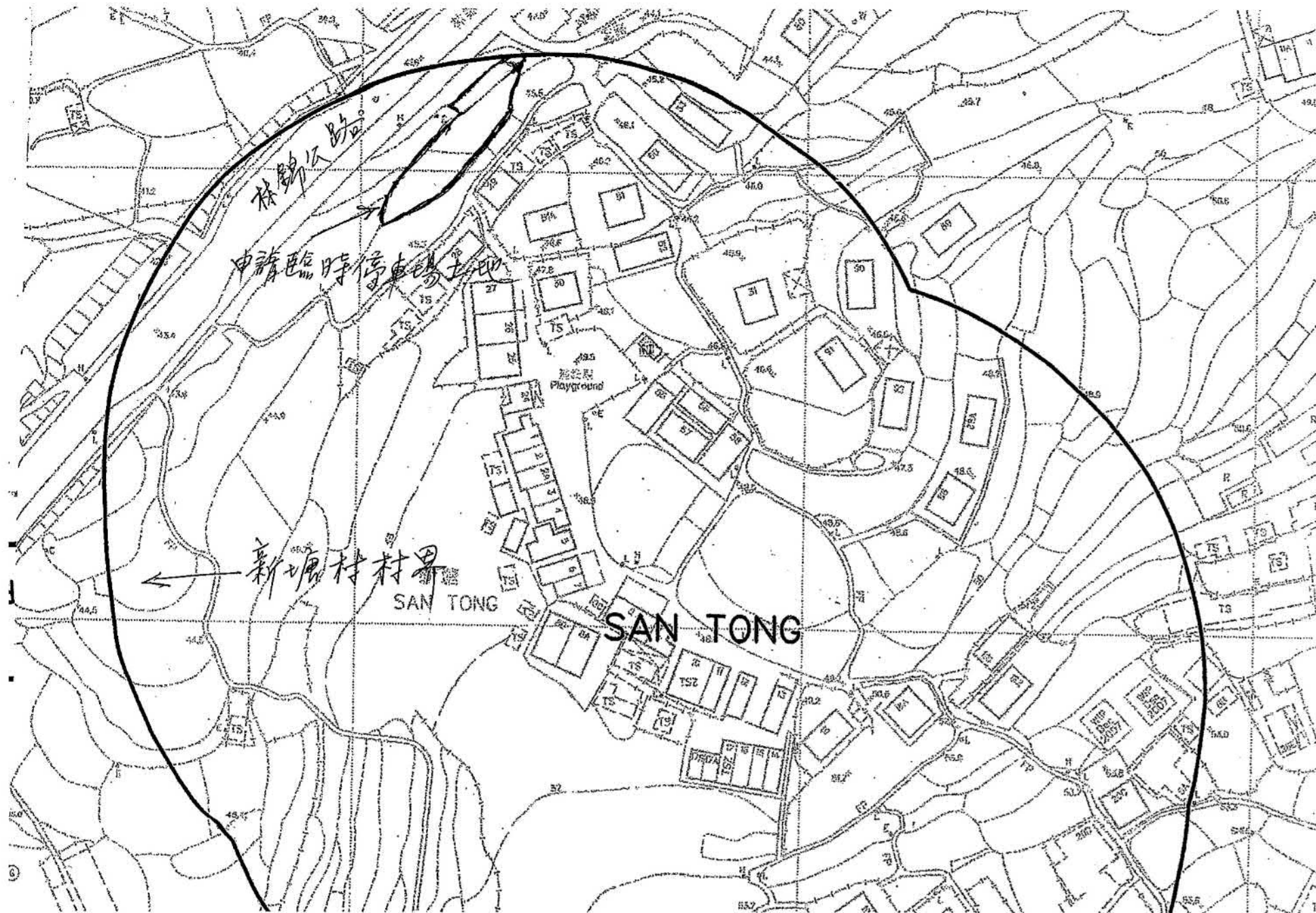
Objections. While the site is already being used for parking, there is considerable farming activity close by. The lots should be restored and used for their intended purpose.

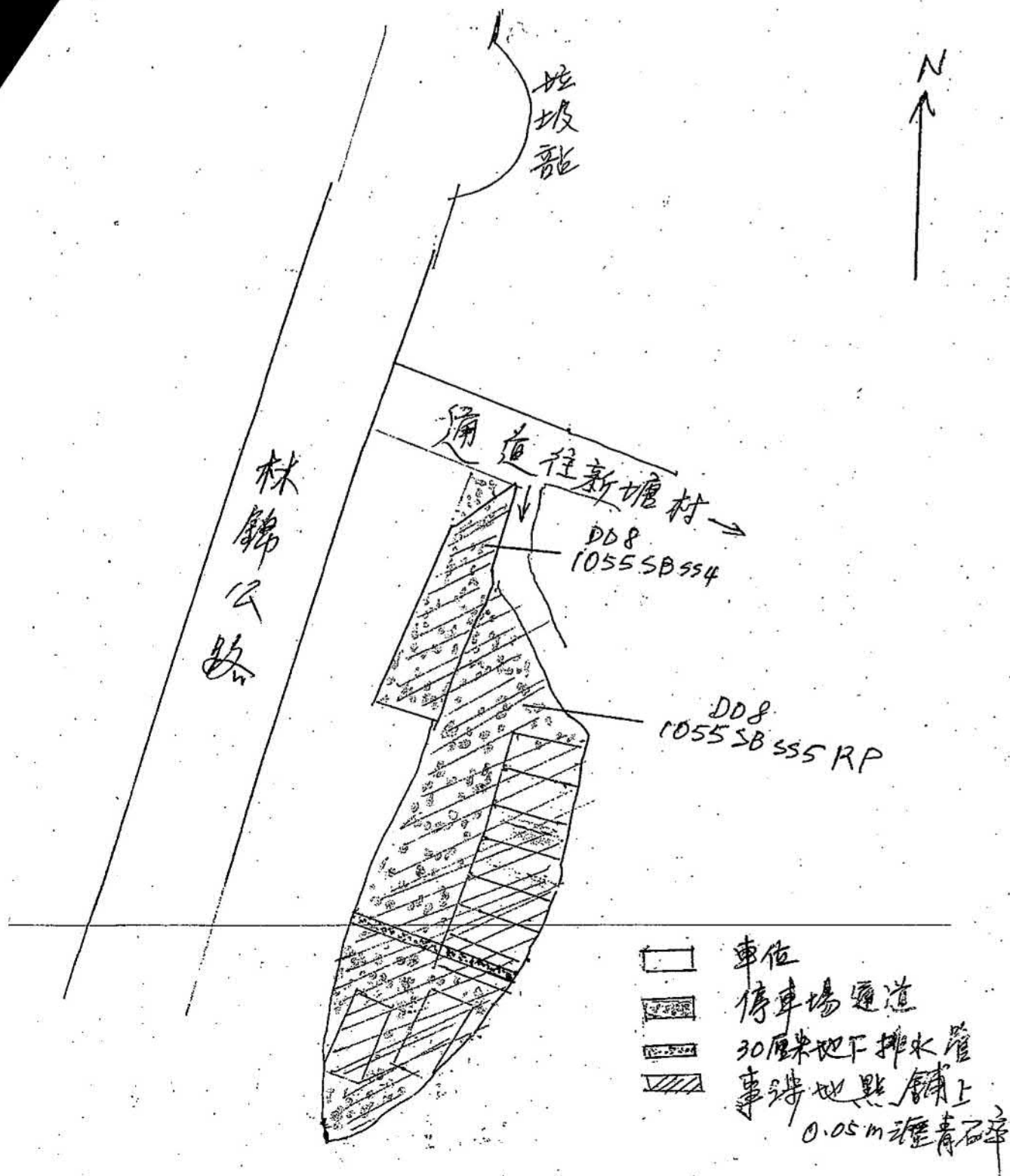
Mary Mulvihill

## Conditions for Working within Water Gathering Grounds

- (a) Adequate measures shall be taken to ensure that no pollution or siltation occurs to the gathering grounds.
- (b) No earth, building materials, fuel, oil or toxic materials and other materials which may cause contamination to the gathering grounds are allowed to be stockpiled or stored on site.
- (c) All surplus spoil shall be removed from gathering grounds as soon as possible.
- (d) Temporary drains with silt traps shall be constructed at the boundary of the site prior to the commencement of any earthworks.
- (e) Regular cleaning of the silt traps shall be carried out to ensure that they function properly at all time.
- (f) All-excavated or filled surfaces which have the risk of erosion shall be protected from erosion at all time.
- (g) Facilities for washing the wheels of vehicles before leaving the site shall be provided.
- (h) Any construction plant which causes pollution to the gathering grounds due to leakage of oil or fuel shall be removed off site immediately.
- (i) Any soil contamination with fuel leaked from plant shall be removed off site and the void arising from removal of contaminated soil shall be replaced by suitable material to the approval of the Director of Water Supplies.
- (j) Provision of temporary toilet facilities is to be subject to the approval of the Director of Water Supplies.
- (k) All waterworks access roads must be maintained unobstructed at all time.
- (l) Site formation plans shall be submitted to W.S.D. for approval prior to commencement of work.
- (m) No structure or temporary works shall be erected in the catchwaters without prior approval of W.S.D.

- (n) The Contractor shall be responsible for cleaning frequently any waterworks roads and associated drainage works of mud and debris.
- (o) The Contractor shall limit the gross weight of the vehicles imposed on the waterworks access to 5 tonnes and the axle load to 3 tonnes. He shall apply to W.S.D with details of his vehicles for using the access.
- (p) The approval for using the access may be withdrawn on written notice to the Contractor by W.S.D. at their absolute discretion.
- (q) The Contractor shall recover immediately his vehicle which fell into the catchwater or stream bed or pay to Government on demand the cost of recovery that may be necessary through the occurrence of any incident caused by the Contractor.
- (r) The Contractor shall carry out repair or reinstatement works to the satisfaction of W.S.D. or pay to Government on demand the cost of repair and reinstatement to any waterworks installations that shall or may be necessary at any time as a result of damaged caused by the Contractor or others under his charge.
- (s) The Contractor shall enter and remain on and use the access at his own risk and he shall indemnify the Government of Hong Kong from all claims, costs, damages and expense arising from the use of the access.
- (t) No excavation with depth more than 2m shall be permitted within 120m from the centerline of WSD water tunnels without the prior approval of WSD.



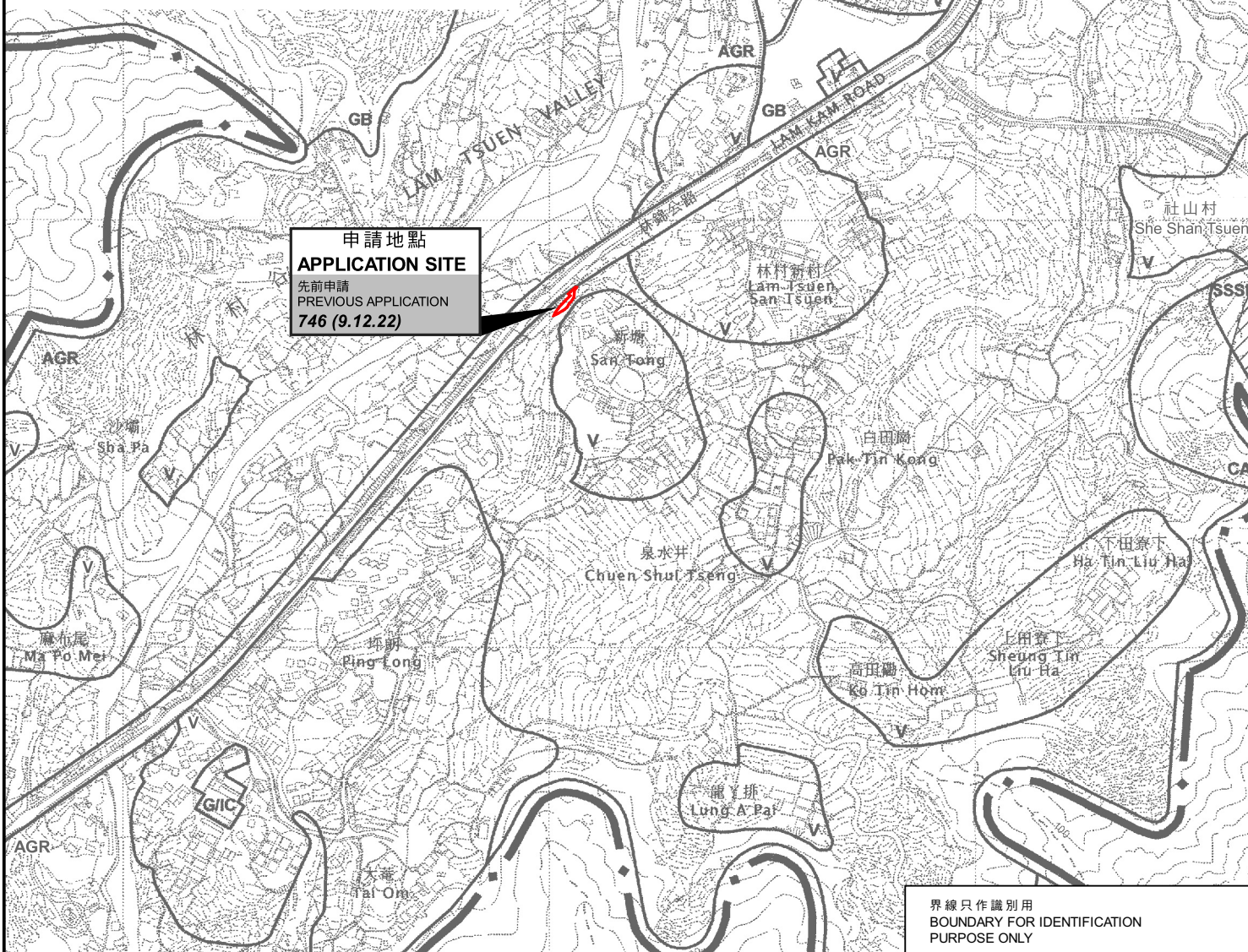


DD8 1055SBSS5RP 及 1055SBSS4  
申請為臨時停車場 (3年期)  
 私人



### 要覽圖 KEY PLAN

SCALE 1 : 50 000 比例尺



申請地點  
APPLICATION SITE  
先前申請  
PREVIOUS APPLICATION  
746 (9.12.22)

界線只作識別用  
BOUNDARY FOR IDENTIFICATION  
PURPOSE ONLY

### 位置圖 LOCATION PLAN

臨時私人停車場（只限私家車）（為期3年）及填土工程  
大埔林村新塘丈量約份第8約  
地段第1055號B分段第4小分段及第1055號B分段第5小分段餘段  
TEMPORARY PRIVATE VEHICLE PARK (PRIVATE CARS ONLY)  
FOR A PERIOD OF 3 YEARS AND FILLING OF LAND  
LOTS 1055 S.B ss.4 AND 1055 S.B ss.5 RP IN D.D. 8,  
SAN TONG, LAM TSUEN, TAI PO

米 100 0 100 200 300 米  
METRES SCALE 1 : 7 500 比例尺 METRES

規劃署  
PLANNING  
DEPARTMENT



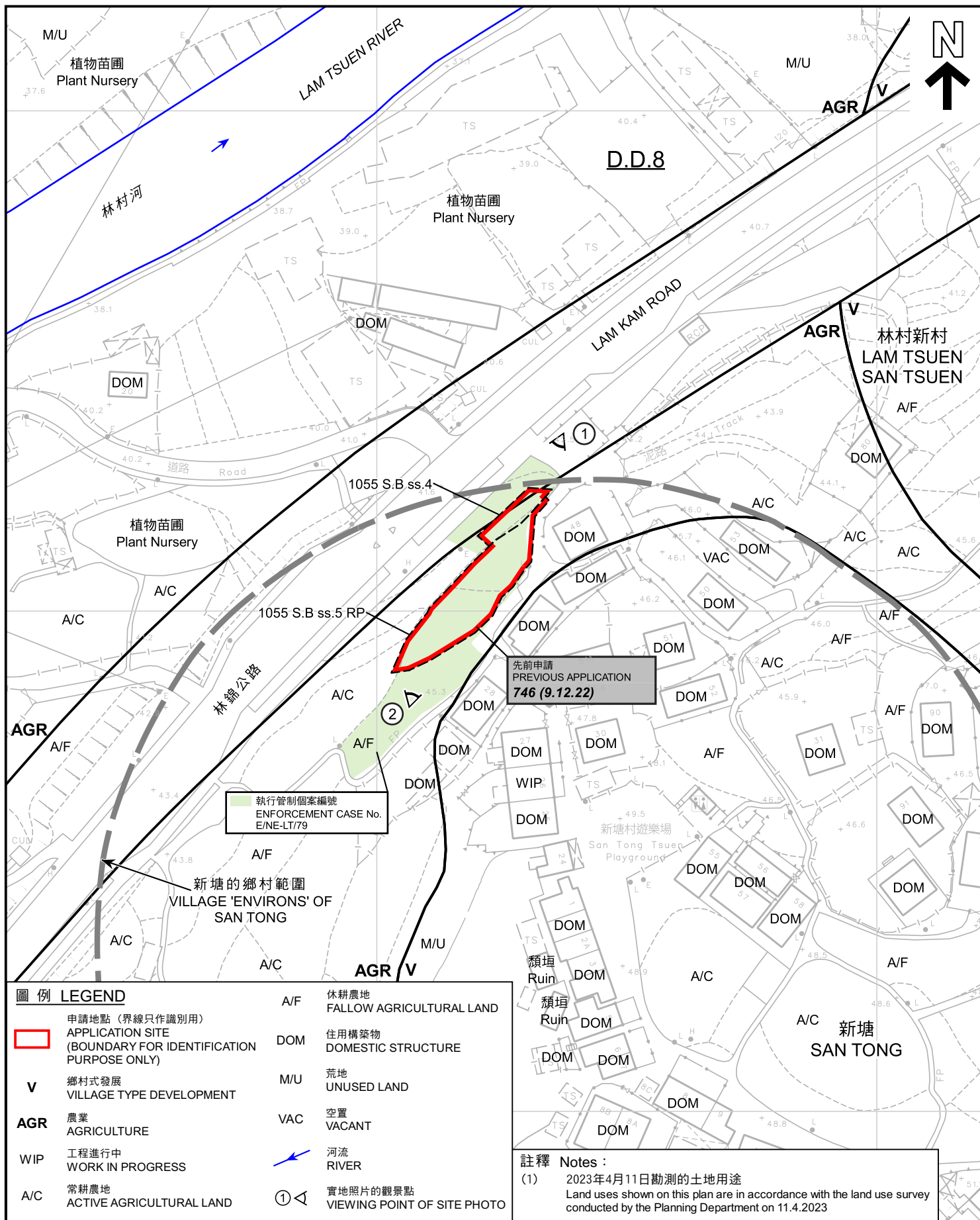
參考編號  
REFERENCE No.

A/NE-LT/757

圖 PLAN

A-1

本摘要圖於2023年4月17日擬備，  
所根據的資料為於2006年10月31日  
核准的分區計劃大綱圖編號S/NE-LT/11  
EXTRACT PLAN PREPARED ON 17.4.2023  
BASED ON OUTLINE ZONING PLAN  
No. S/NE-LT/11 APPROVED ON 31.10.2006



#### 圖例 LEGEND

- 申請地點 (界線只作識別用)  
APPLICATION SITE  
(BOUNDARY FOR IDENTIFICATION  
PURPOSE ONLY)
- V** 鄉村式發展  
VILLAGE TYPE DEVELOPMENT
- AGR** 農業  
AGRICULTURE
- WIP** 工程進行中  
WORK IN PROGRESS
- A/C** 常耕農地  
ACTIVE AGRICULTURAL LAND

- A/F** 休耕農地  
FALLOW AGRICULTURAL LAND
- DOM** 住用構築物  
DOMESTIC STRUCTURE
- M/U** 荒地  
UNUSED LAND
- VAC** 空置  
VACANT
- 河流  
RIVER
- ①** 實地照片的觀景點  
VIEWING POINT OF SITE PHOTO

#### 註釋 Notes :

- (1) 2023年4月11日勘测的土地用途  
Land uses shown on this plan are in accordance with the land use survey  
conducted by the Planning Department on 11.4.2023

#### 平面圖 SITE PLAN

臨時私人停車場 (只限私家車) (為期3年) 及填土工程  
大埔林村新塘丈量約份第8約  
地段第1055號B分段第4小分段及第1055號B分段第5小分段餘段  
TEMPORARY PRIVATE VEHICLE PARK (PRIVATE CARS ONLY)  
FOR A PERIOD OF 3 YEARS AND FILLING OF LAND  
LOTS 1055 S.B ss.4 AND 1055 S.B ss.5 RP IN D.D. 8,  
SAN TONG, LAM TSUEN, TAI PO

SCALE 1 : 1 000 比例尺  
米 20 0 20 40 米  
METRES

規劃署  
PLANNING  
DEPARTMENT

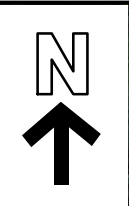
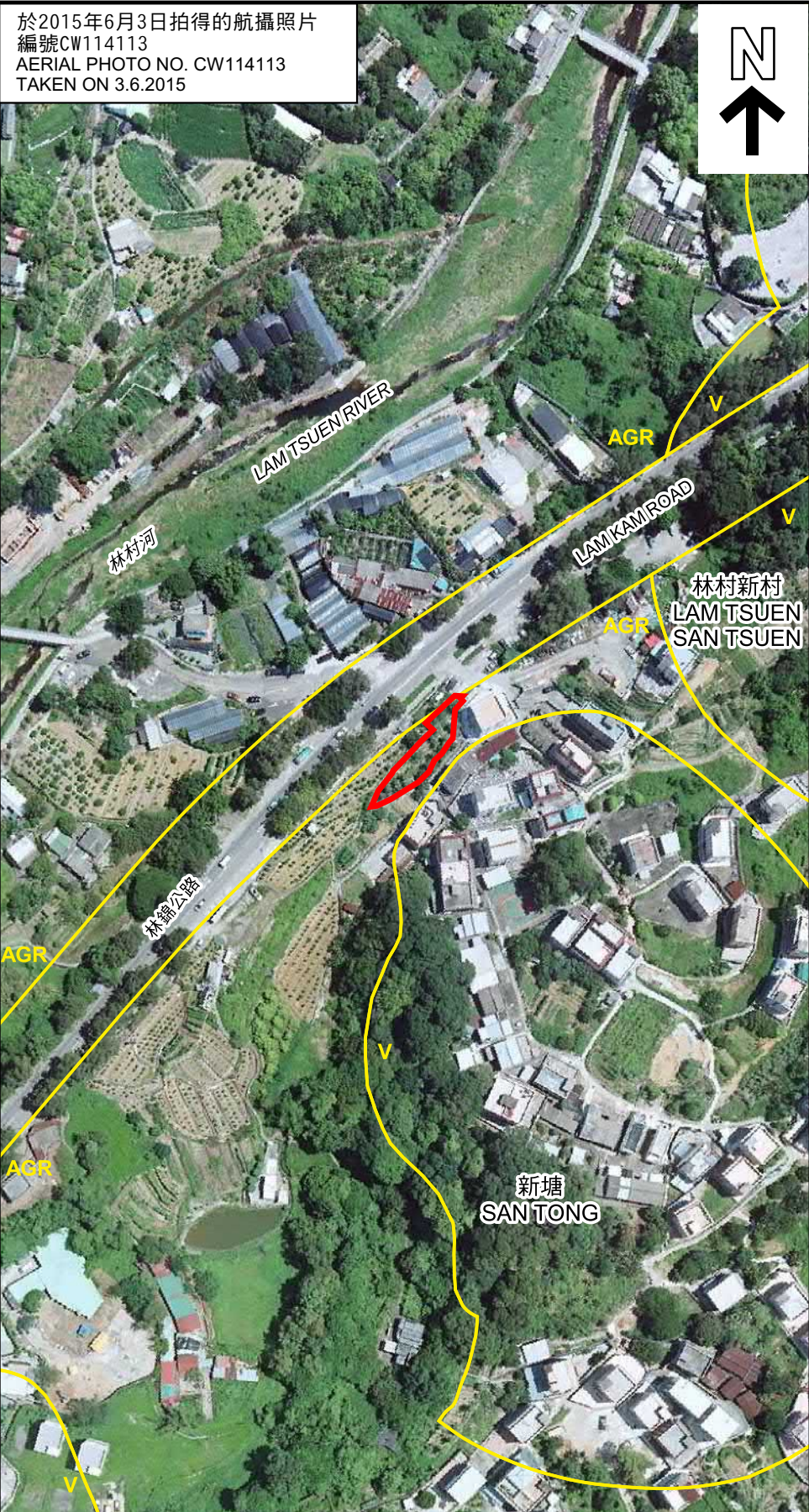


參考編號  
REFERENCE No.  
**A/NE-LT/757**

圖 PLAN  
**A-2**

本摘要圖於2023年4月19日擬備，  
所根據的資料為測量圖編號  
7-NW-7A  
EXTRACT PLAN PREPARED ON 19.4.2023  
BASED ON SURVEY SHEET No.  
7-NW-7A

於2015年6月3日拍得的航攝照片  
編號CW114113  
AERIAL PHOTO NO. CW114113  
TAKEN ON 3.6.2015



於2018年1月3日拍得的航攝照片  
編號E032852C  
AERIAL PHOTO NO. E032852C  
TAKEN ON 3.1.2018



於2022年2月14日拍得的航攝照片  
編號E147376C  
AERIAL PHOTO NO. E147376C  
TAKEN ON 14.2.2022



### 航攝照片 AERIAL PHOTOS

臨時私人停車場（只限私家車）（為期3年）及填土工程  
大埔林村新塘丈量約份第8約  
地段第1055號B分段第4小分段及第1055號B分段第5小分段餘段  
TEMPORARY PRIVATE VEHICLE PARK (PRIVATE CARS ONLY)  
FOR A PERIOD OF 3 YEARS AND FILLING OF LAND  
LOTS 1055 S.B ss.4 AND 1055 S.B ss.5 RP IN D.D. 8,  
SAN TONG, LAM TSUEN, TAI PO

本摘要圖於2023年4月19日擬備  
EXTRACT PLAN PREPARED ON 19.4.2023

規劃署  
PLANNING DEPARTMENT



參考編號  
REFERENCE No.  
A/NE-LT/757

圖 PLAN  
A-3

1



2



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

### 實地照片 SITE PHOTOS

臨時私人停車場（只限私家車）（為期3年）及填土工程  
大埔林村新塘丈量約份第8約  
地段第1055號B分段第4小分段及第1055號B分段第5小分段餘段  
TEMPORARY PRIVATE VEHICLE PARK (PRIVATE CARS ONLY)  
FOR A PERIOD OF 3 YEARS AND FILLING OF LAND  
LOTS 1055 S.B ss.4 AND 1055 S.B ss.5 RP IN D.D. 8,  
SAN TONG, LAM TSUEN, TAI PO

本摘要圖於2023年4月17日擬備，所根據的資料為攝於2023年4月11日的實地照片  
PLAN PREPARED ON 17.4.2023 BASED ON SITE PHOTOS TAKEN ON 11.4.2023

規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
A/NE-LT/757

圖 PLAN  
A-4

**Agenda Item 9**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/NE-LT/757            Temporary Private Vehicle Park (Private Cars Only) for a Period of 3 Years and Filling of land in “Agriculture” Zone and an area shown as ‘Road’, Lots 1055 S.B ss.5 RP and 1055 S.B ss.4 in D.D. 8, San Tong, Lam Tsuen, Tai Po  
(RNTPC Paper No. A/NE-LT/757)

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**Presentation and Question Sessions**

24.            With the aid of some plans, Mr Kevin K.W. Lau, STP/STN, briefed Members on the background of the application, the applied use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department did not support the application.

25.            Members had no question on the application.

**Deliberation Session**

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

- “(a) the development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis; and
- (b) the applicants fail to demonstrate that the development located within the water gathering ground would not cause adverse impact on the water quality in the area.”

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

By Post

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/NE-LT/757

9 June 2023

李丁有

Dear Sir/Madam,

**Temporary Private Vehicle Park (Private Cars Only) for a Period of 3 Years  
and Filling of land in "Agriculture" Zone and an area shown as 'Road',  
Lots 1055 S.B ss.5 RP and 1055 S.B ss.4 in D.D. 8, San Tong, Lam Tsuen, Tai Po**

I refer to my letter to you dated 6.4.2023.

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

- (a) the development is not in line with the planning intention of the "Agriculture" zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis; and
- (b) you fail to demonstrate that the development located within the water gathering ground would not cause adverse impact on the water quality in the area.

A copy of the TPB Paper in respect of the application is available at TPB website at this link ([https://www.info.gov.hk/tpb/tc/meetings/RNTPC/Agenda/719\\_rnt\\_agenda.html](https://www.info.gov.hk/tpb/tc/meetings/RNTPC/Agenda/719_rnt_agenda.html)). A copy of the TPB Paper in Chinese 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 19.5.2023, 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 30.6.2023). 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 Mr. Kevin Lau of Sha Tin, Tai Po & North District Planning Office at 2158 6242.

Yours faithfully,



( Leticia LEUNG )  
for Secretary, Town Planning Board

(With Chinese Translation)

城市規劃委員會

香港北角渣華道三百三十三號  
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郵遞函件

李丁有

先生／女士：

在劃為「農業」地帶及顯示為「道路」的地方的  
大埔林村新塘第 8 約地段第 1055 號 B 分段  
第 5 小分段餘段及第 1055 號 B 分段第 4 小分段  
闢設臨時私人停車場(只限私家車)(為期三年)，以及進行填土工程

我曾於二零二三年四月六日發信給你。

城市規劃委員會(下稱「城規會」)在考慮這宗申請後，  
決定拒絕這宗申請，理由是：

- (a) 有關發展不符合「農業」地帶的規劃意向。該地帶的規劃意向主要是保存和保護良好的農地／農場／魚塘，以便作農業用途。設立此地帶的目的，亦是要保存在復耕及作其他農業用途方面具有良好潛力的休耕農地。申請書內並無提出有力的規劃理據，以支持偏離此規劃意向，即使僅屬臨時性質亦然；以及
- (b) 你未能證明位於集水區內的有關發展不會對該區的水質造成不良影響。

就這宗申請擬備的城規會文件已上載於城規會網頁的以下連結([https://www.info.gov.hk/tpb/tc/meetings/RNTPC/Agenda/719\\_rnt\\_agenda.html](https://www.info.gov.hk/tpb/tc/meetings/RNTPC/Agenda/719_rnt_agenda.html))。現隨函付上就這宗申請擬備的城規會文件中文

本(補充規劃綱領／技術報告(如有的話)除外)及二零二三年五月十九日城規會會議記錄的相關摘錄的中英文本，以供參閱。

根據《城市規劃條例》第 17(1)條，申請人如因城規會的決定而感到不滿，可向城規會申請對有關決定進行覆核。如欲提出覆核申請，你須在本信發出日期起計 21 天內(即二零二三年六月三十日或之前)通知我。其後，我會與你聯絡，邀請你及／或你授權的代表出席城規會的聆聽會。城規會須在收到覆核申請的日期起計三個月內考慮覆核申請。所有覆核申請均須予公布，為期三個星期，讓公眾提出意見。

根據《城市規劃條例》，城規會在覆核聆聽會上，只可因應申請人的進一步書面及／或口頭申述，重新考慮原來的申請。如你在現階段決定對原來的建議作出重大修改，便應根據《城市規劃條例》第 16 條的規定，就修改建議向城規會提交新的申請。

如對上述決定有任何疑問或需要進一步資料，請與沙田、大埔及北區規劃處劉家榮先生聯絡(電話：2158 6242)。

城市規劃委員會秘書  
(梁靜思代行)

二零二三年六月九日

申請覆核

檔案編號: TPB/A/NE-LT/757

就該兩幅土地，申請為臨時私人停車場（為期三年）只限私家車。

但貴署拒絕本人之申請，拒絕的原因是土地可以復耕及可能污染水源。  
就這兩點，本人在這裏作出覆核及澄清。

第一點農地覆耕、原本這裏的水源是來自坪朗村高地，但由於有很多村界內的農地，興建成丁屋，因此水源已截斷，沒有山水流往這兩幅土地，在沒有水源的前提下，根本沒有方法耕種，鄰近的農地，用作種植桃花，由於沒有水源，農民需用內燃機水泵，泵水往田裏灌溉，才可耕種，但內燃機需用電油發電泵水，這也有機會污染水源。

第二點是作為停車場會污染水源，但在這兩幅土地上只可泊上大概10輛私家車，相比林村其他村落附近農地泊車的情況相若，根本對污染水源沒有直接的關係。客觀上來看，在林村其他的地方相信也有超過千部車輛停泊，豈不是林村的水源污染很嚴重，是否限制林村所有的地方也不可以停泊車輛呢？

由於這兩幅土地，荒廢多年，雜草叢生，又滋生鼠患，在新塘村村長溫官球先生及前區議員陳灶良先生也贊同我們將這幅土地用作臨時泊車之用，方便居民，不至於居民將車輛停泊於馬路兩旁，阻礙行人及容易發生意外。希望貴署能夠批准這幅地作為臨時私人停車場（為期三年）只限私家車。

此致規劃署署長

覆核申請人簽署: Patrick  
李丁有

電話:

地址:

日期: 30-06-2023



《林村分區計劃大綱圖》上涵蓋申請地點的先前申請

被拒絕的申請

申請編號	擬議發展	考慮日期	拒絕理由
A/NE-LT/746	臨時私人停車場(只限私家車) (為期三年)	2022 年 12 月 9 日	R1、R2

拒絕理由

- R 1 申請用途不符合「農業」地帶的規劃意向。該地帶的規劃意向主要是保存和保護良好的農地／農場／魚塘，以便作農業用途。設立此地帶的目的，亦是要保存在復耕及作其他農業用途方面具有良好潛力的休耕農地。申請書內並無有力的規劃理據，以支持偏離此規劃意向，即使僅屬臨時性質亦然。
- R 2 申請人未能證明位於集水區內的有關用途不會對該區的水質造成不良影響。

**建議的指引性質的條款**

- (a) 留意地政總署大埔地政專員的意見：
- (i) 倘這宗規劃申請獲批給規劃許可，地段擁有人須向地政總署申請短期豁免書，以獲准在申請地點搭建構築物。此外，基於申請用途屬臨時性質，只有搭建臨時構築物的申請，才會獲得考慮；以及
  - (ii) 地政總署會以業主或批租人身分全權酌情考慮上述任何申請，但不保證予以批准，倘予批准，地政總署或會附加條款及條件，當中包括須支付租金或費用；
- (b) 留意運輸署署長的意見，為了前往泊車位，車輛可能需穿過毗鄰的私人地段。申請人須就使用有關通道與相關的土地擁有人自行作出安排，以及與有關的地政和維修保養當局釐清有關通道所在土地的類別，以及管理和維修保養責任誰屬，以免引起土地糾紛；
- (c) 留意環境保護署署長的意見，申請人須遵從最新發出的《處理臨時用途及露天貯存用地的環境問題作業指引》所訂的相關緩解措施及規定，以盡量減少任何可能造成的環境滋擾；
- (d) 留意渠務署總工程師／新界北的意見：
- (i) 申請人須自設雨水收集和排放系統，以排走申請地點產生的徑流和來自附近地區的地面水流，例如沿申請地點的邊界鋪設尺寸足夠的明渠；如設邊界圍牆／圍欄，則須在圍牆／圍欄底部建造足夠的排水口，使地面徑流可以經申請地點排走。申請人須重新設置任何受影響的現有流徑。申請人不應阻礙地面水流，亦不應對現有的天然河道、鄉村排水渠、溝渠及鄰近地區造成不良影響。申請人須妥善維修保養排水系統，以及如發現附近的現有／原先的排水系統不足或未能有效應付申請地點所作發展帶來的額外徑流，申請人須作出補救／調整。如因申請人進行的工程導致經調整的排水系統故障或欠妥而造成損害或滋擾，申請人亦須就所引致的申索和要求，承擔責任及作出彌償。申請人須注意，有關處所內的

徑流(包括天台的徑流)會由指定的雨水收集及排放系統處理，不會排放至公共污水收集系統；

(ii) 申請地點附近現時有渠務署負責維修保養的公共污水渠，但接駁污水渠的可行性視乎連接申請地點的排水管的內底水平。現時並無預留套管以接駁污水收集系統。申請人須證明技術上可接駁至公共污水收集系統。倘申請人選擇以其他方式排放擬議發展的污水，須徵詢環境保護署的意見；

(iii) 須就於申請地點外或政府土地(如有需要)鋪設新排水管／水渠及／或調整／改善現有排水管／水渠提供相關地段擁有人的同意書及／或地政總署的許可；以及

(iv) 申請人須負責排水及排污接駁的費用和工程，以及承擔日後的維修保養責任；

(e) 留意消防處處長的意見，考慮到有關建議的設計／性質，預計須設置消防裝置。因此，申請人須向消防處提交載有擬設消防裝置的相關平面圖，以供消防處處長審批。平面圖須按比例繪製，並註明尺寸及佔用性質。擬設消防裝置的位置須在平面圖上清楚標示。

(f) 留意水務署總工程師／建設的意見：

(i) 為了確保集水區的原水水質，申請人須證明申請用途不會實質增加污染影響，包括：

- 不得將流出物或污水排放至毗鄰土地、雨水渠、水渠、溪澗或河流。該等污水或流出物須於集水區以外的地方收集並處置。申請用途所產生的所有固體廢物及污泥須於集水區以外的地方妥為棄置。集水區嚴禁使用及存放除害劑、除草劑、毒劑、化學溶劑、滅蚊油、殺鼠劑、焦油及石油。未經水務監督事先批准，不得使用／存放化學物品，包括肥料及清潔劑。集水區內在所有時間均不得出現燃油洩漏或溢漏。須備有去除油脂工具(例如吸液墊)處理任何燃油洩漏或溢漏。須實施控制措施，包括禁止運油車停泊在泊車位，以免燃油在集水區內洩漏或溢漏；

- 停車場及其相關活動須盡可能遠離任何水道。須豎立告示牌提醒不得污染集水區。申請地點面向最接近的河道之處須豎設圍欄，以阻隔工地內所有被風吹起的垃圾。工地地面須盡可能防止油脂滲透。任何因燃油滲漏而受沾污的土壤須立即從工地移走，因而留下的空隙須以符合水務監督要求的適當物料填補。停車場四邊須設置石壘及排水渠。每個排水口均須設置排水截流器(例如隔油池和截油器)，並須妥為保養。該等排水截流器須具有足夠容量，以確保能妥善阻截和收集地面水流中的燃油和潤滑劑，以作場外排放。須妥善備存保養及排放記錄。除泊車外，擬議發展內不得進行其他活動，例如在申請地點內進行車輛檢查、保養、維修及清洗活動；以及
- 據觀察，申請地點內將以瀝青石料填土，填土深度約為 5 厘米，申請人須就此證明及展示填土物料不會滲出有毒或有害物質。

(ii) 申請人須符合「集水區工作守則」的規定；

(iii) 申請地點內的一些現有水管可能會受影響，申請人須把水管改道或保護申請地點的水管。如須進行改道，擬議地段內的現有水管須改道至擬議發展界線以外的政府土地。申請人須預留最少 1.5 米闊的土地供現有水管改道之用，承批人／申請人亦要承擔按要求而進行的現有水管改道工程的費用。在進行工程之前，承批人／申請人須向水務署提交全部有關建議，以供考慮和審批；以及

(iv) 倘無須進行改道，則下列條件適用：

- 如平面圖所示，現有水管將受影響，而任何須重置水管的發展均不會獲得批准。在展開工程之前，須向水務署署長提交地盤平整工程的詳情，以供審批。水管中心線起計的 1.5 米範圍內不得搭建構築物或貯存物料。水務署署長的屬下人員和承辦商可隨時自由進入有關用地，以便進行建造、檢查、操作、保養和維修水管工程；以及
- 不得在水務專用範圍內或水管附近栽種根部具實穿力的樹木和灌木。事先未獲水務署署長的同意，不得改變上

述水務專用範圍內或水管附近土地的現狀。倘擬栽種的樹木和水管之間距離為 2.5 米或以下，則或須設置堅硬的隔根層，並將隔根層向下延伸至低於水管的內底水平。除了鋪草皮外，不得在任何閘蓋 1.5 米的範圍內或任何出水口周圍 1 米的範圍內栽種植物或設置任何障礙物。倘水務署署長認為水管可能受損，可能會禁止種植樹木。