

RNTPC Paper No. A/NE-MKT/26
For Consideration by the
Rural and New Town Planning
Committee on 23.6.2023

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-MKT/26

- Applicant** : Ying Shing (Hopewell) Engineering Company Limited
- Site** : Lot 474 in D.D. 90, Lin Ma Hang Road, Man Kam To, New Territories
- Site Area** : About 890m²
- Land Status** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Man Kam To Outline Zoning Plan (OZP) No. S/NE-MKT/4
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Temporary Warehouse for Storage of Electronic Products and Open Storage of Packaging Tools for a Period of Three Years and Associated Filling of Land

1. The Proposal

- 1.1 The applicant seeks planning permission for a proposed temporary warehouse for storage of electronic products and open storage of packaging tools for a period of three years and associated filling of land at the application site (the Site), which falls within an area zoned “AGR” on the OZP (**Plan A-1**). According to the Notes of the OZP, temporary use or development of any land or buildings not exceeding a period of three years and filling of land in “AGR” zone require planning permission from the Town Planning Board (the Board). The Site is formed, fenced off and currently vacant.
- 1.2 The Site is accessible from Lin Ma Hang Road via a local track (**Plan A-2**). According to the applicant, the proposed development comprises two single-storey structures with a total gross floor area of about 455m² for warehouse (7m in height) and meter room (2.5m in height) uses. About 100m² of the uncovered area (i.e. about 23% of the Site) would be used for open storage purpose. One private car parking space and one loading/unloading space for medium goods vehicles are proposed within the Site. The whole site would be filled to a level of about 1.2m for construction of the temporary structures and circulation. The operation hours of the development is from 9 a.m. to 5 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. The layout plan submitted by the applicant is shown in **Drawing A-1**.

1.3 In support of the application, the applicant has submitted the following documents:

- | | | |
|-----|---|---------------|
| (a) | Application Form with attachments received on 24.4.2023 | (Appendix I) |
| (b) | Supplementary Information (SI) received on 4.5.2023 | (Appendix Ia) |
| (c) | Further Information (FI) received on 5.6.2023* | (Appendix Ib) |
- *exempted from the publication and recounting requirements*

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed at **Appendix I**, as summarized below:

- (a) the proposed development would bring job opportunities to the surrounding residents and villagers;
- (b) the applicant undertakes to properly implement the drainage facilities should the application be approved; and
- (c) the proposed use is compatible with the surrounding environment. No adverse environmental and visual impacts from the proposed development are 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 on Satisfying the “Owner’s Consent / Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No.31A) by posting site notice and sending notice to the Ta Kwu Ling District Rural Committee by registered mail.

4. Background

Majority of the Site is subject to active planning enforcement action against unauthorized developments (UDs) involving intensification of storage use (including deposit of containers) (No. E/NE-MKT/29 and E/NE-MKT/35). Enforcement Notices (ENs) were issued on 28.11.2022 requiring discontinuation of the UD by 28.1.2023. Subsequent site inspections on 24.4.2023 revealed that only part of the UD has been discontinued. Prosecution action is being considered by the Planning Authority.

5. Previous Application

There is no previous application for the Site.

6. Similar Application

There is no similar application for the same proposed uses in the vicinity of the Site within the same “AGR” zone in the Man Kam To area.

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

7.1 The Site is:

- (a) formed, fenced off and currently vacant; and
- (b) accessible from Lin Ma Hang Road via a local track.

7.2 The surrounding areas are dominated by storage/open storage yards, scattered temporary domestic structures, car parks, vacant land, fallow agricultural land and tree clusters.

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, permission from the Board is required for filling of land within the “AGR” zone, as the activity may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment.

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 comments on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses are provided in **Appendices II** and **III** respectively.

9.2 The following government departments have objection to / adverse comment on the application.

Agriculture

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

- (a) does not support the application from agricultural perspective as the Site possesses potential for agricultural rehabilitation; and
- (b) agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc.

Traffic

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

- (a) the applicant should provide the following information/assessment for his consideration:

- (i) to advise and substantiate the traffic generation and attraction from and to the Site and the traffic impacts on the nearby road links and junctions;
 - (ii) advise the width of the vehicular access leading to the Site. It is noted that the existing fencing maybe in conflict with the vehicular access (**Plans A-2 and A-4b**). The applicant should review the layout and provide clarification in this regard; and
 - (iii) to advise the provision and management of pedestrian facilities to ensure pedestrian safety.
- (b) the vehicular access between the Site and Lin Ma Hang Road is not managed by this department.

District Officer's Comments

9.2.3 Local views/comments conveyed by the District Officer (North), Home Affairs Department (DO(N), HAD):

- (a) the Indigenous Representatives (IIRs) and the Resident Representatives (RRs) of San Uk Ling and Mu Wu object to the application on grounds that the proposed development would induce adverse traffic and environmental impacts on the surrounding areas;
- (b) the incumbent North District Councilor of N16 Constituency and the Chairman of Fung Shui Area Committee have no comment on the application; and
- (c) the RR of Nga Yiu and Ta Kwu Ling District Rural Committee do not reply.

10. Public Comments Received During Statutory Publication Period

On 5.5.2023, the application was published for public inspection. During the statutory public inspection period, a total of four public comments were received. A member of North District Council has no comment on the application. The other three comments from the Conservancy Association, the Kadoorie Farm & Botanic Garden Corporation and an individual object to the application mainly on grounds of not being in line with the planning intention of the “AGR” zone; it is a ‘destroy first, develop later’ case; and approval of the application would set undesirable precedent.

11. Planning Considerations and Assessments

11.1 The application is for a proposed temporary warehouse for storage of electronic products and open storage of packaging tools for a period of three years and associated filling of land at the Site zoned “AGR” on the OZP. The proposed use is considered not in line with the planning intention of the “AGR” zone, which is 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. DAFC does not support the application from agricultural perspective as the Site possesses

potential for agricultural rehabilitation. Agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc. There is no strong planning justification in the submission for a departure from the planning intention of “AGR” zone, even on a temporary basis.

- 11.2 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 (CE/MN of DSD) and Director of Environmental Protection (DEP) have no adverse comment on the application from the drainage and environmental perspectives.
- 11.3 The Site is located in an area of rural inland plains landscape character dominated by storage/open storage yards, scattered temporary domestic structures, car parks, vacant land, fallow agricultural land and tree clusters. CTP/UD&L of PlanD has no objection to the application as significant adverse impact on the landscape character and the existing landscape resources within the Site arising from the proposed development is not anticipated.
- 11.4 In traffic terms, C for T advises that information/assessment in relation to traffic generation/attraction, vehicular access and management of pedestrian facilities, etc should be submitted. There is no information in the submission to demonstrate that the proposed development would have no adverse traffic impact on the surrounding areas. Other relevant departments consulted including CE/MN of DSD, D of FS, DEP have no adverse comment on or no objection to the application.
- 11.5 There is no previous application and similar application for the same proposed use within the same “AGR” zone in the vicinity of the Site.
- 11.6 Regarding the public comments objecting to the application as detailed in paragraph 10 and the local objections conveyed by DO(N) in paragraph 9.2.3 above, government departments’ comments and the planning assessment above are relevant.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11, and having taken into account the local views conveyed by DO(N), HAD and the public comments mentioned in paragraphs 9.2.3 and 10 respectively, the Planning Department does not support the application for the following reasons:
 - (a) the proposed development 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. It is also 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 such planning intention, even on a temporary basis; and
 - (b) the applicant fails to demonstrate that the proposed development would not generate adverse traffic impact on the surrounding areas.

- 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 23.6.2026. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval Conditions

- (a) no operation between 5:00 p.m. and 9:00 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) 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 23.12.2023;
- (d) in relation to (c) above, the provision of drainage facilities 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 23.3.2024;
- (e) in relation to (d) above, the implemented drainage facilities should be maintained at all times during the planning approval period;
- (f) the provision of fire extinguisher(s) 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 4.8.2023;
- (g) the submission of proposals for fire service installations and water supplies for firefighting 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 23.12.2023;
- (h) in relation to (g) above, the implementation of proposals for fire service installations and water supplies for firefighting 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 23.3.2024;
- (i) the submission of a proposal for traffic management measures 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 23.12.2023;
- (j) in relation to (i) above, the implementation of the traffic management measures 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 23.3.2024;
- (k) if any of the above planning condition (a), (b) or (e) 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; and
- (l) if any of the above planning conditions (c), (d), (f), (g), (h), (i) or (j) 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.

Advisory Clauses

The recommended advisory clauses are 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 the 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 applicant.
- 13.3 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.

14. Attachments

Appendix I	Application Form received on 24.4.2023
Appendix Ia	SI received on 4.5.2023
Appendix Ib	FI received on 5.6.2023
Appendix II	Government Department's General Comments
Appendix III	Recommended Advisory Clauses
Appendix IV	Public Comments
Drawing A-1	Layout Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
JUNE 2023**

2023年 4月 2 4日

Appendix I of RNTPC
Paper No. A/NE-MKT/26

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

24 APR 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.

Form No. S16-III
表格第 S16-III 號

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

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

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

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

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

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

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

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

General Note and Annotation for the Form

填寫表格的一般指引及註解

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

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

& Please attach documentary proof 請夾附證明文件

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

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

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

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

2301032 17/4 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-MKT/76
	Date Received 收到日期	24 APR 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

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

英盛 (合和) 工程有限公司 YING SHING (HOPEWELL) ENGINEERING COMPANY LTD

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)

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)	DD90, LOT474
(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 890 sq.m 平方米 <input type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 455 sq.m 平方米 <input checked="" type="checkbox"/> About 約
(c) Area of Government land included (if any) 所包括的政府土地面積 (倘有)	N/A sq.m 平方米 <input type="checkbox"/> About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	S/NE-MKT/4
(e) Land use zone(s) involved 涉及的土地用途地帶	AGR
(f) Current use(s) 現時用途	<p>空置土地</p> <p>(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)</p>

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

The applicant 申請人 -

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

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

5. Statement on Owner's Consent/Notification

就土地擁有人的同意/通知土地擁有人的陳述

- (a) According to the record(s) of the Land Registry as at (DD/MM/YYYY), this application involves a total of "current land owner(s)"[#].
根據土地註冊處截至 2023 年 3 月 30 日的記錄，這宗申請共牽涉 1 名「現行土地擁有人」[#]。

(b) The applicant 申請人 -

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

Details of consent of "current land owner(s)" [#] obtained 取得「現行土地擁有人」 [#] 同意的詳情		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼/處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)
1	DD90, LOT474	30/03/2023

(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」[#]遞送要求同意書[&]

Reasonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟

- ☐ published notices in local newspapers on (DD/MM/YYYY)[&]
於..... (日/月/年)在指定報章就申請刊登一次通知[&]
- ☐ posted notice in a prominent position on or near application site/premises on
..... (DD/MM/YYYY)[&]
於..... (日/月/年)在申請地點／申請處所或附近的顯明位置貼出關於該申請的通知[&]
- ☐ sent notice to relevant owners' corporation(s)/owners' committee(s)/mutual aid committee(s)/management office(s) or rural committee on (DD/MM/YYYY)[&]
於..... (日/月/年)把通知寄往相關的業主立案法團/業主委員會/互助委員會或管理處，或有關的鄉事委員會[&]

Others 其他

- ☐ others (please specify)
其他（請指明）

Note: May insert more than one 「✓」.

Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註：可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

6. Type(s) of Application 申請類別

(A) Temporary Use/Development of Land and/or Building Not Exceeding 3 Years in Rural Areas

位於鄉郊地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展

(For Renewal of Permission for Temporary Use or Development in Rural Areas, please proceed to Part (B))

(如屬位於鄉郊地區臨時用途/發展的規劃許可續期，請填寫(B)部分)

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

擬議臨時貨倉存放電子產品及露天擺放卡板等包裝工具

(為期三年) 及填土工程

(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 三年☐ month(s) 個月

(c) Development Schedule 發展細節表

Proposed uncovered land area 擬議露天土地面積 435 sq.m ☒ About 約Proposed covered land area 擬議有上蓋土地面積 455 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 N/A sq.m ☐ About 約Proposed non-domestic floor area 擬議非住用樓面面積 455 sq.m ☒ About 約Proposed gross floor area 擬議總樓面面積 455 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)

建築物 B, 1 層, 用作臨時電房, 層高 2.5 米

建築物 A, 1 層, 層高 7 米, 用作臨時貨倉

Proposed number of car parking spaces by types 不同種類停車位的擬議數目

Private Car Parking Spaces 私家車車位 1

Motorcycle Parking Spaces 電單車車位 N/A

Light Goods Vehicle Parking Spaces 輕型貨車泊車位 N/A

Medium Goods Vehicle Parking Spaces 中型貨車泊車位 N/A

Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 N/A

Others (Please Specify) 其他 (請列明) N/A

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

Taxi Spaces 的士車位 N/A

Coach Spaces 旅遊巴車位 N/A

Light Goods Vehicle Spaces 輕型貨車車位 N/A

Medium Goods Vehicle Spaces 中型貨車車位 1

Heavy Goods Vehicle Spaces 重型貨車車位 N/A

Others (Please Specify) 其他 (請列明) N/A

Proposed operating hours 擬議營運時間 星期一至星期六... 早上9:00至下午5:00... 周日及公眾假期休息.....			
(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	<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)) 蓮麻坑路.....	
	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 checked="" 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 890 sq.m 平方米 <input checked="" type="checkbox"/> About 約 Depth of filling 填土厚度 1.2 m 米 <input checked="" 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 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"/>		

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

(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	<input type="checkbox"/> The permission does not have any approval condition 許可並沒有任何附帶條件 <input type="checkbox"/> Applicant has complied with all the approval conditions 申請人已履行全部附帶條件 <input type="checkbox"/> Applicant has not yet complied with the following approval condition(s): 申請人仍未履行下列附帶條件： _____ _____ _____ Reason(s) for non-compliance: 仍未履行的原因： _____ _____ _____ (Please use separate sheets if the space above is insufficient) (如以上空間不足，請另頁說明)
(f) Renewal period sought 要求的續期期間	<input type="checkbox"/> year(s) 年 <input type="checkbox"/> month(s) 個月

7. Justifications 理由

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

本業主現向城規會在此地段申請搭建貨倉存放電子零件，及露天擺放卡板等包裝工具，及填土工程，為期三年。古洞北及文錦渡正值發展局展開工程，本業主認為對日後附近村民就業有很大幫助，使居民無須到市區工作，也可容納6-8位村民，並為他們提供工作機會。

此地段為現有圍牆的空置土地，地段也沒有任何樹木，植被，本業主在此地段進行填土工程，同時也會規劃造好渠務工程，並且，本業主只是在此地段存放貨物，不會釋出污染空氣的氣味和液體，所以不會對環境造成不良影響。

本業主也會翻新圍牆，重整地面及建造貨倉，新建建築物新穎工整，層高適宜，周邊視野開揚，所以也不會對周邊觀感和視線造成影響。

望貴署通過及接納本人於此地段的申請。

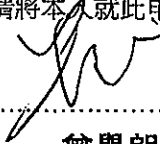
8. Declaration 聲明

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

I hereby grant a permission to the Board to copy all the materials submitted in this application and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.

本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature
簽署



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

曾學朗

經理

Name in Block Letters
姓名（請以正楷填寫）

Position (if applicable)
職位（如適用）

Professional Qualification(s) ☐ Member 會員 / ☐ Fellow of 資深會員

專業資格

☐ HKIP 香港規劃師學會 / ☐ HKIA 香港建築師學會 /

☐ HKIS 香港測量師學會 / ☐ HKIE 香港工程師學會 /

☐ HKILA 香港園境師學會 / ☐ HKIUD 香港城市設計學會

☐ RPP 註冊專業規劃師

Others 其他



on behalf of
代表

英盛（合和）工程有限公司

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

Date 日期

30/03/2023

(DD/MM/YYYY 日/月/年)

Remark 備註

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

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

Warning 警告

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

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

Statement on Personal Data 個人資料的聲明

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

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

(a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and

處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及

(b) facilitating communication between the applicant and the Secretary of the Board/Government departments.

方便申請人與委員會秘書及政府部門之間進行聯絡。

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

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

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

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

Gist of Application 申請摘要

(Please provide details in both English and Chinese as far as possible. This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.)

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

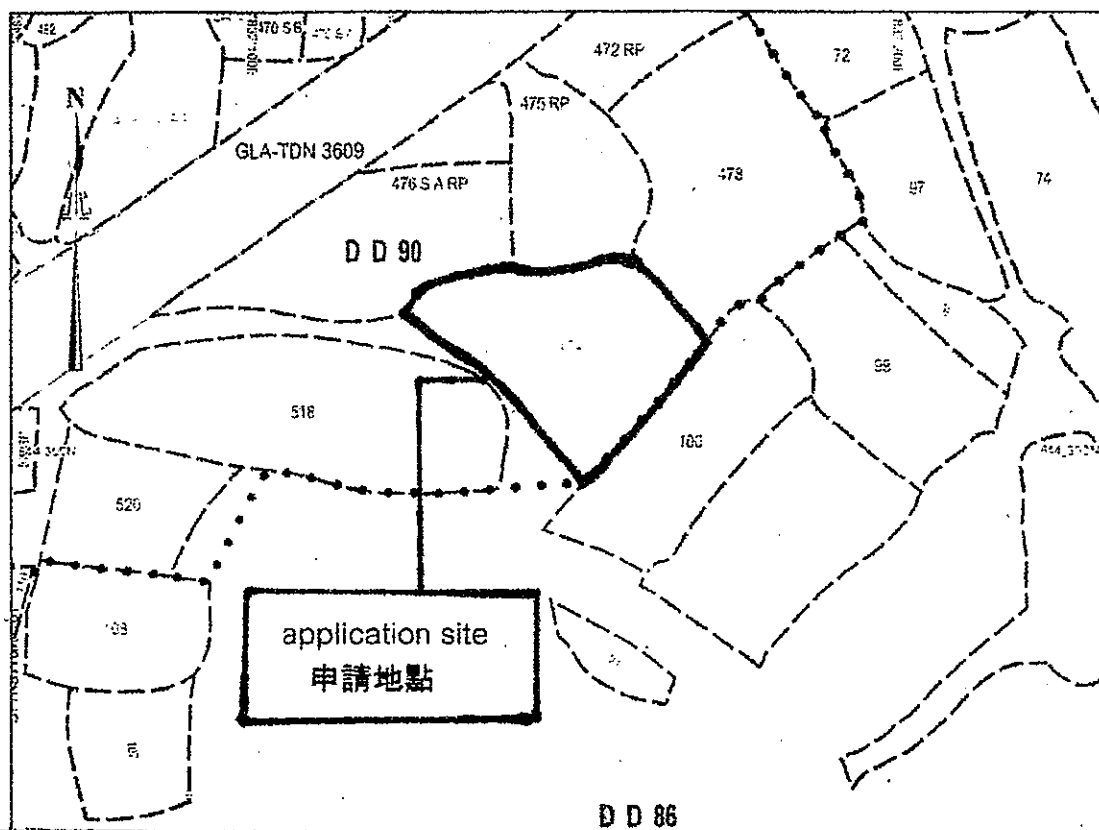
Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)
Location/address 位置/地址	DD90LOT474
Site area 地盤面積	890 sq. m 平方米 <input checked="" type="checkbox"/> About 約 (includes Government land of 包括政府土地 sq. m 平方米 <input type="checkbox"/> About 約)
Plan 圖則	Approved Man Kam To Outline Zoning Plan NO. S/NE-MKT/4
Zoning 地帶	AGR
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 三年 <input type="checkbox"/> Month(s) 月 _____ <input type="checkbox"/> Renewal of Planning Approval for Temporary Use/Development in Rural Areas for a Period of 位於鄉郊地區臨時用途/發展的規劃許可續期為期 <input type="checkbox"/> Year(s) 年 _____ <input type="checkbox"/> Month(s) 月 _____
Applied use/ development 申請用途/發展	擬議臨時貨倉存放電子產品及露天擺放卡板等包裝工具 (為期三年) 及填土工程

(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	N/A <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	455 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	0.51 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
(ii) No. of block 幢數	Domestic 住用	N/A	
	Non-domestic 非住用	2	
(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	N/A <input type="checkbox"/> (Not more than 不多於) m 米	
		N/A <input type="checkbox"/> (Not more than 不多於) Storeys(s) 層	
	Non-domestic 非住用	2.5-7 <input type="checkbox"/> (Not more than 不多於) m 米	
		1 <input type="checkbox"/> (Not more than 不多於) Storeys(s) 層	
(iv) Site coverage 上蓋面積	51.1 % <input checked="" 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		1
	Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明) _____ _____		1 N/A N/A N/A N/A N/A
	Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位／停車處總數		1
	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) _____ _____		N/A N/A N/A 1 N/A N/A

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
Plans and Drawings 圖則及繪圖		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
申請地點圖和渠務及交通示意圖		
Reports 報告書		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估 (噪音、空氣及／或水的污染)	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input type="checkbox"/>
Note: May insert more than one 「✓」. 註：可在多於一個方格內加上「✓」號		

Note: The information in the Gist of Application above is provided by the applicant for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

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



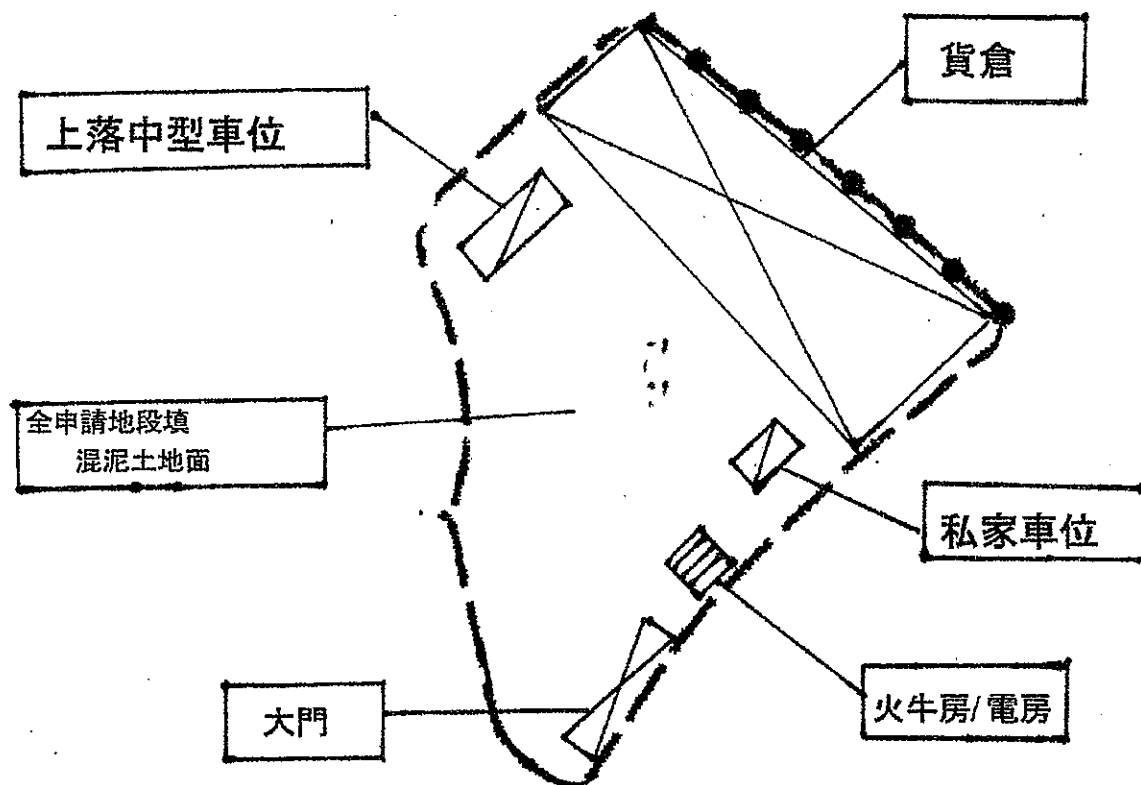
圖目：申請地點圖

圖目：1

申請地段：DD90, LOT 474

申請用途：

擬議臨時貨倉存放電子產品及露天擺放卡板等包裝工具
(為期三年) 及填土工程



圖目：

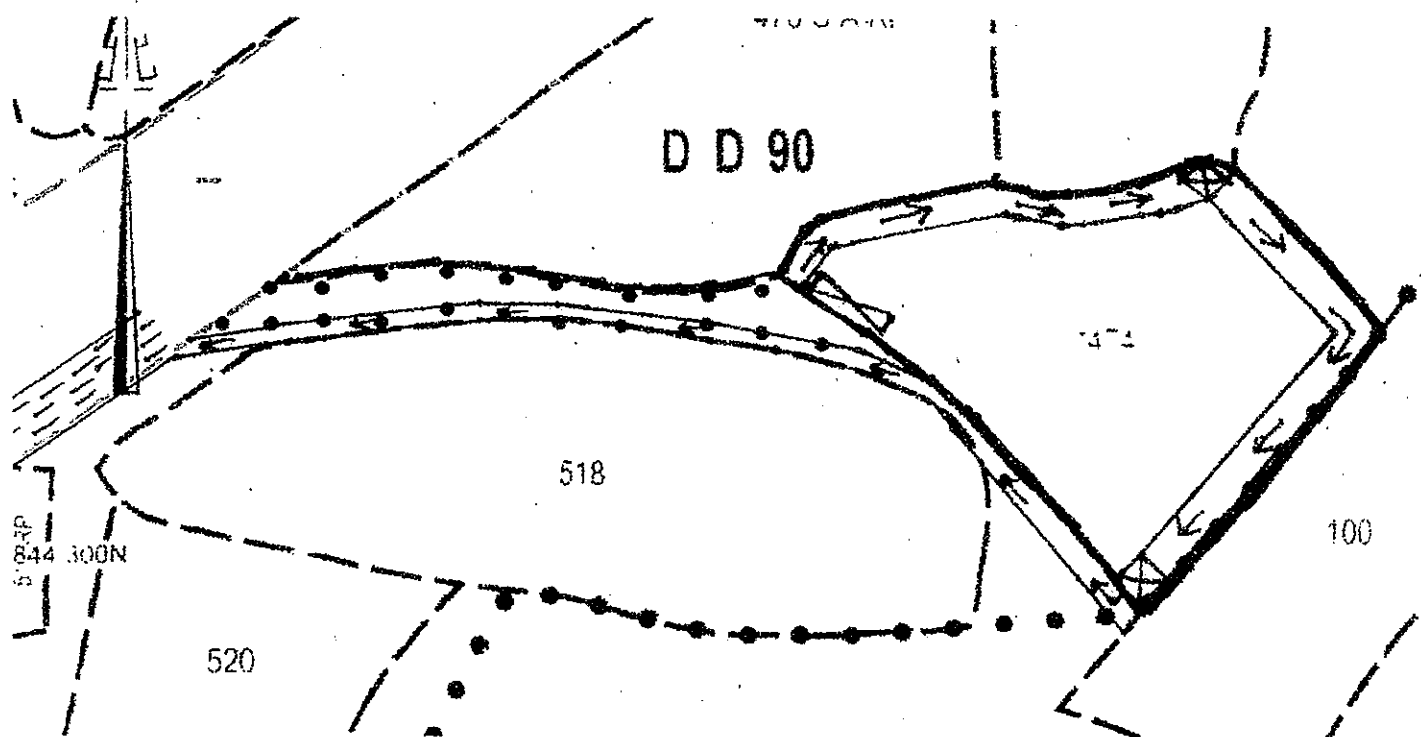
佈局圖

申請地段：DD90LOT474

申請用途：

擬議臨時貨倉存放電子產品及露天擺放卡板等包裝工具
(為期三年) 及填土工程

圖號：2



圖目：渠務及交通示意圖

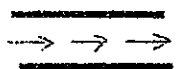
圖號：3

申請地段：D D 90 L O T 474

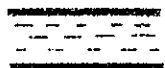
申請用途：

擬議臨時貨倉存放電子產品及露天擺放卡板等包裝工具
(為期三年) 及填土工程

注釋：



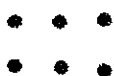
1米闊*1米深自設排水渠道



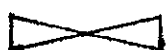
地盤外1.5米闊*1.5米深大渠，流向政府大渠



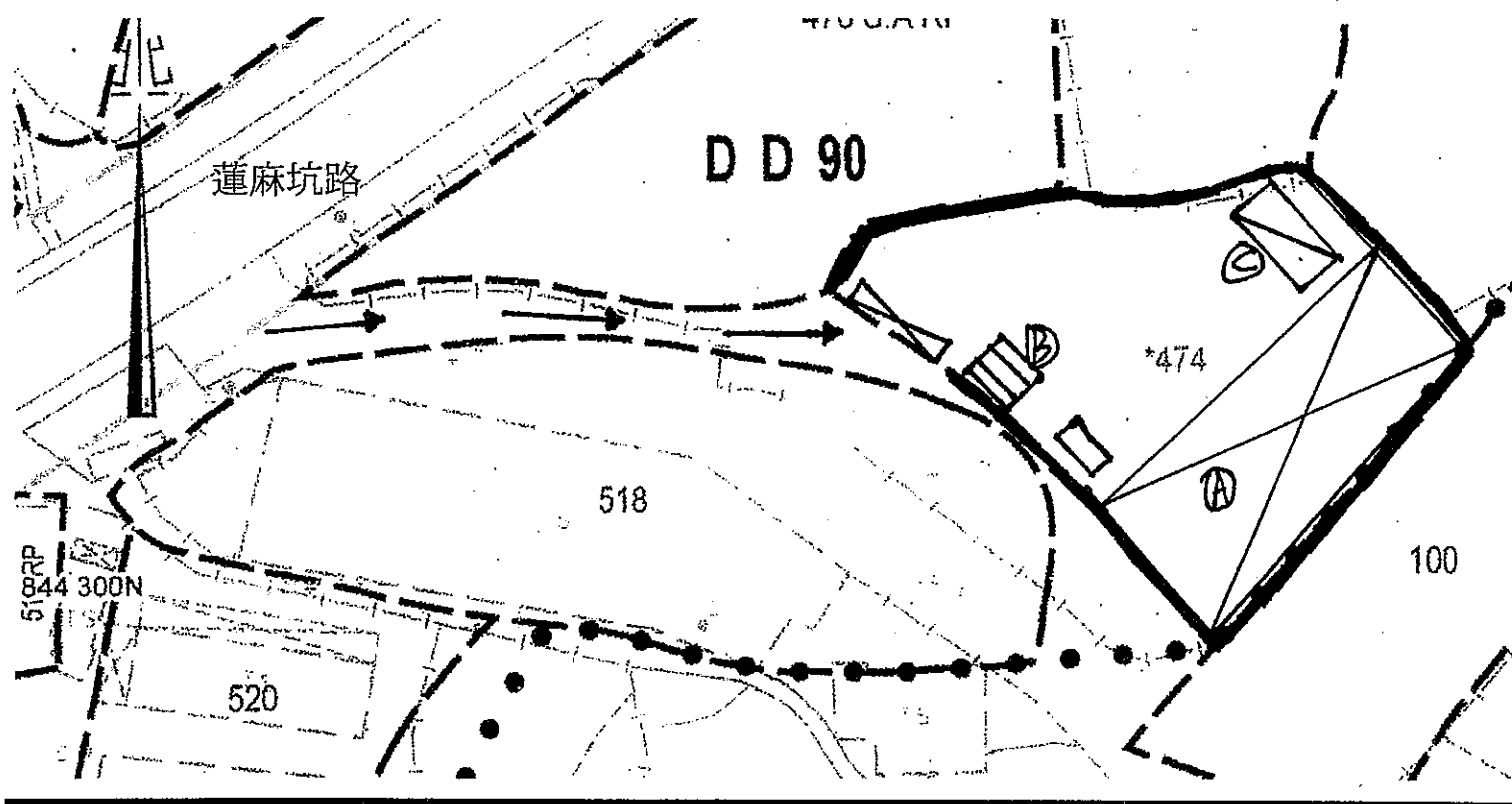
自設沙井，阻隔泥沙，令排水渠暢通



道路，連接地盤與蓮麻坑路





地盤出入口

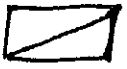



圖號：4


注釋：

(A)  450平方米*7米高貨倉

(B)  5平方米*2.5米高電錶房

(C)  上落中型車位

 私家車位

 申請地盤

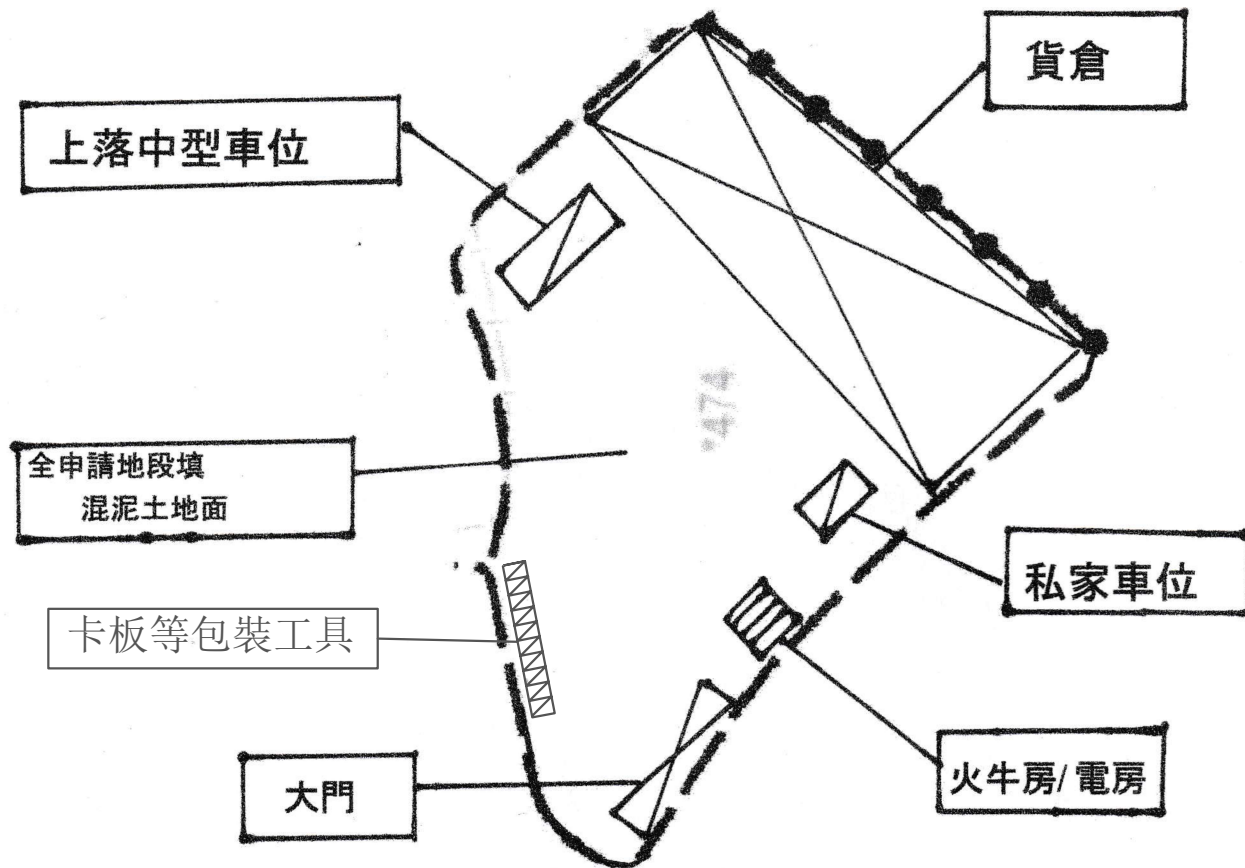
 車輛行駛路線

申請地段：DD90LOT474.

申請用途：

擬議貨倉存放電子產品及露天擺放卡板等包裝工具及填土工程

為期三年



圖目：

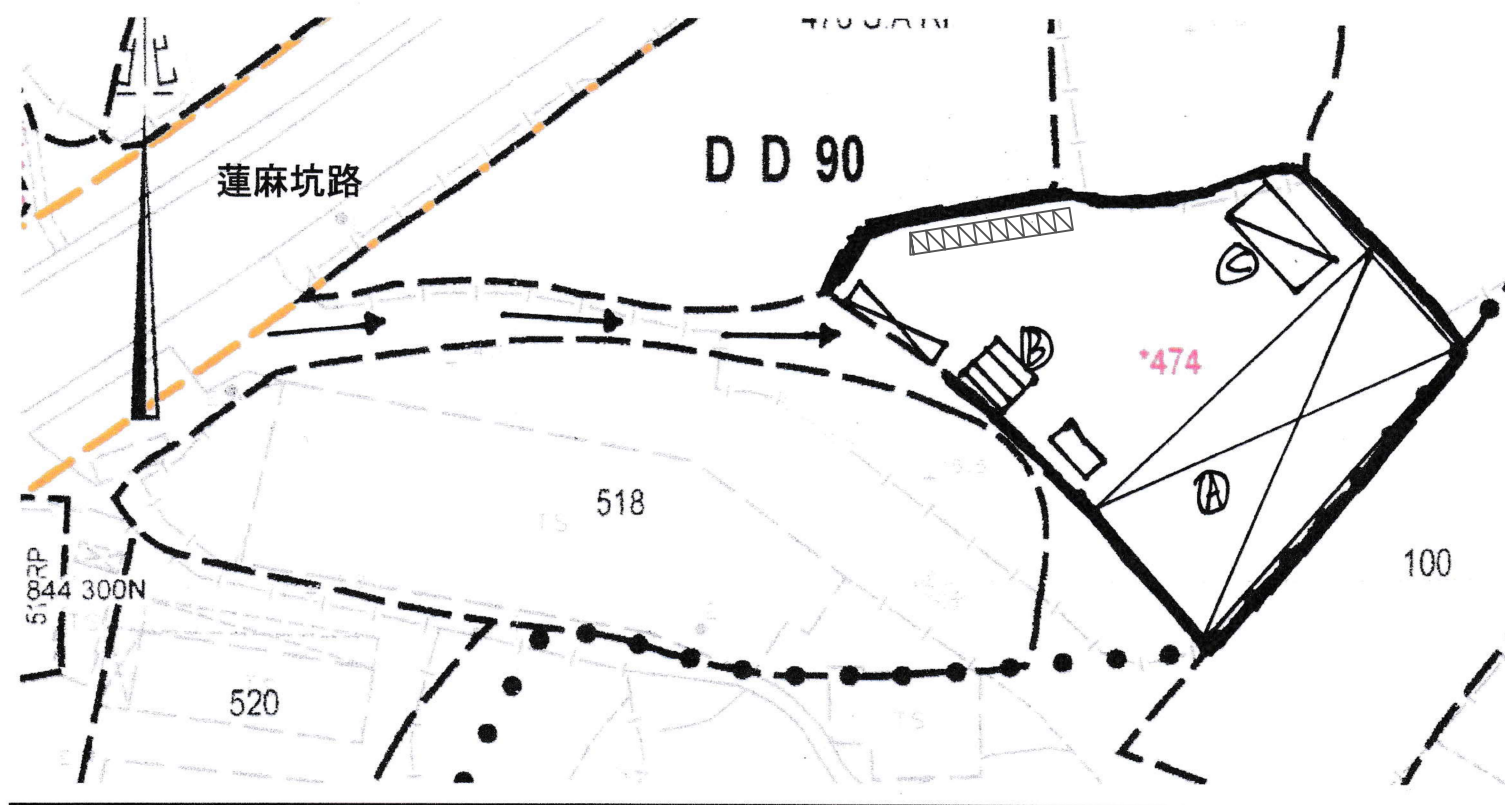
佈局圖

申請地段：DD90LOT474

申請用途：

擬議臨時貨倉存放電子 品及露天擺放卡板等工具及填土工程
為期三年

圖號：2




圖號：4

注釋：

Ⓐ  450平方米*7米高上蓋

Ⓑ  5平方米*2.5米高電錶房

Ⓒ  上落中型車位



私家車位



卡板等包裝工具



申請地盤



車輛行駛路線

申請地段：DD90LOT474

申請用途：

擬議貨倉存放電子產品及露天擺放卡板等包裝工具（為期三年）及填土工程



有關MKT/26申請編號的露天百分比05/06/2023 16:35

From:

To: MWLAU@pland.gov.hk

File Ref:

History:

This message has been forwarded.

歐生，你好，文錦渡26編號申請的總面積是890平方米，露天面積是435平方米，露天存放的工具是露天面積的23%，100平方米。

Government Departments' General Comments

1. Land Administration

Comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD):

- the Site comprises Old Schedule Agricultural Lot held under the Block Government lease which contains the restriction that no structures are allowed to be erected without prior approval of the Government. No right of access via Government land (GL) is granted to the Site; and
- as land filling works is proposed, the applicant should comply with all the land filling requirements imposed by relevant Government department(s), if any and in no event cause any disturbance to GL.

2. Drainage

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

- no objection to the application from public drainage viewpoint; and
- should the application be approved, the following approval conditions are required: (i) the submission and implementation of a drainage proposal for the Site to ensure that it will not cause adverse drainage impact to the adjacent area; and (ii) the implemented drainage facilities at the Site shall be maintained at all times during the planning approval period.

3. Landscape

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

- no objection to the application from landscape planning perspective; and
- with reference to the aerial photo of 2022, the Site is located in an area of rural inland plains landscape character comprising temporary structures, vehicles parking areas, vegetated areas, clusters of tree groups and woodland within the “Green Belt” zone. The Site is hard paved with no significant sensitive landscape resources is identified. Significant adverse impact on the landscape character and the existing landscape resources within the Site arising from the proposed uses is not anticipated.

4. Environment

Comments of the Director of Environmental Protection (DEP):

- no objection to the application from environmental planning point of view; and
- there has been no environmental complaint received on the Site in the past three years.

5. **Fire Safety**

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

- no in-principle objection to the application subject to fire service installations (FSIs) being provided to the satisfaction of D of FS; and
- having considered the nature of open storage, the following approval condition should be added:

“the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of D of FS.”

The applicant is required to submit a valid fire certificate (FS251) to his department for the above approval and advised to note his advisory comments appended at **Appendix III**.

6. **Other Departments**

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

- Commissioner for Police (C for P);
- Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- Project Manager (North), North Development Office, Civil Engineering and Development Department (PM(N), CEDD);
- Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD); and
- Chief Engineer/Construction, Water Supplies Department (CE/C, WSD).

Recommended Advisory Clauses

- (a) to note the following comments of the District Lands Officer/North, Lands Department that:
- (i) should planning approval be given to the subject planning application, the owner(s) of the lot will need to apply to this office for a Short Term Waiver (STW) to permit the structure(s) to be erected. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. The application will be considered by the LandsD acting in the capacity of the lessor at its sole discretion and there is no guarantee that such application will be approved. If such application is approved, its commencement date would be backdated to the first date of the occupation and it will be subject to such terms and conditions, including among others the payment of fee and administrative fee, as may be imposed by the LandsD;
 - (ii) as land filling works is proposed, the applicant should comply with all the land filling requirements imposed by relevant Government department(s), if any and in no event cause any disturbance to Government land;
- (b) to note the comments of the Director of Environmental Protection (DEP) that the applicant is advised to follow the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” issued by EPD to minimise potential environmental nuisance to the surrounding areas;
- (c) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department that the access road leading from Lin Ma Hang Road to the Site is not maintained by HyD;
- (d) to note the following comments of the Chief Engineer/Mainland North, Drainage Services Department that:
- (i) the Site is in an area where no public sewer connection is available;
 - (ii) the applicant is advised on the following general requirements of the drainage proposal:
 - surface channel with grating covers should be provided along the site boundary;
 - a drainage plan should be provided clearly showing the size, levels and routes of the proposed drainage. The details (invert level, gradient, general sections etc.) of the proposed drain/ surface channel, catchpits and the discharge structure shall be provided;
 - the cover levels of proposed channels should be flush with the existing adjoining ground level;
 - a catchpit with covers should be provided where there is a change of direction of the channel/drain. The details of the catchpit with covers shall be provided;
 - catchpits with sand trap shall be provided at the outlets of the proposed drainage system. The details of the catchpit with sand trap should be provided;

- the applicant should check and ensure that the existing drainage downstream to which the proposed connection will be made have adequate capacity and satisfactory condition to cater for the additional discharge from the Site. The applicant should also ensure that the flow from the Site will not overload the existing drainage system;
- the applicant is reminded that where walls are erected or kerbs are laid along the boundary of the same, peripheral channels should be provided on both sides of the walls or kerbs, and/or adequate openings should be provided at the walls/kerbs to allow existing overland flow passing through the Site to be intercepted by the drainage system of the Site with details to be agreed by DSD, unless justified not necessary;
- the applicant is reminded that all existing flow paths as well as the run-off falling onto and passing through the Site should be intercepted and disposed of via proper discharge points. The applicant shall also ensure that no works, including any site formation works, shall be carried out as may adversely interfere with the free flow condition of the existing drains, channels and watercourses on or in the vicinity of the Site any time during or after the works;
- the proposed drainage works, whether within or outside the site boundary, should be constructed and maintained properly by the applicant and rectify the system if it is found to be inadequate or ineffective during operation at his/her own expense;
- for works to be undertaken outside the lot boundary, the applicant should obtain prior consent and agreement from DLO/N and/or relevant private lot owners;
- the applicant should make good all the adjacent affected areas upon the completion of the drainage works;
- the applicant shall allow all time free access for the Government and its agent to conduct site inspection on his completed drainage works;
- the applicant and the successive lot owners shall allow connections from the adjacent lots to the completed drainage works on Government Land when so required;
- photos should be submitted clearly showing the current conditions of the area around the Site, the existing drainage/flowpaths around the Site, the proposed drainage from the Site to the downstream existing watercourse and the existing watercourse at about 20m intervals. The locations of the camera and the direction of each photo should also be indicated on a plan;

(e) to note the following comments of the Director of Fire Services that:

- (i) in consideration of the design/nature of the proposal, Fire Service Installations (FSIs) are anticipated to be required. The applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to this department for approval. In addition, the applicant should also be advised on the following points:

- 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;
- (ii) the applicant is reminded to submit a valid fire certificate (FS 251) to this department for approval; and
- (iii) the applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

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

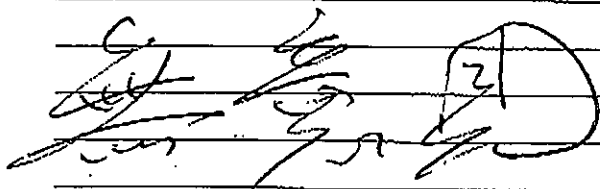
By Fax : 2877 0245 or 2522 8426

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/NE-MKT/26

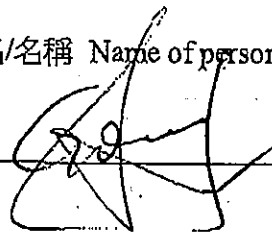
意見詳情 (如有需要，請另頁說明)

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 2023.5.13

2

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



A/NE-MKT 26 DD 90 Lin Ma Hang Road

27/05/2023 04:43

From:

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

File Ref:

A/NE-MKT/26

Lot 474 in D.D. 90, Lin Ma Hang Road, Man Kam To

Site area: About 890sq.m

Zoning : "Agriculture"

Applied use: Warehouse / Open Storage / 2 Vehicle Parking / **Filling of Land**

Dear TPB Members,

Strong objections. Previous application withdrawn but operation went ahead.

It is disgraceful that since the opening up of the area despite lessons that should have been learned from the third world conditions that were permitted in Kam Tin and other NT districts, the same scenario is being allowed to develop at Lin Ma Hang Road.

Members should ask if any enforcement action has been taken re the many unapproved brownfield operations along the road.

Previous objections applicable and upheld.

Mary Mulvihill

From:

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

Date: Tuesday, 24 January 2017 12:25 AM CST

Subject: A/NE-MKT Lin Ma Hang Road

A/NE-MKT (A/NE-MKT/3)

Lots in D.D. 90 and Adjoining Government Land, Lin Ma Hang Road, Man Kam To, Sheung Shui

Site area : About 4,169 m² Includes Government Land of about 480 m²

Zoning : "Agriculture"

Applied Use: Open Storage Construction Materials

Dear TPB Members,

No previous history of applications but it says that site is being used to store containers,

We can therefore presume that it is a brownfield site..

These facilities represent a most inefficient form of land use, whereby a large surface area is used to accommodate a relatively small enterprise. Facilities like this should be accommodated in custom built high rise industrial parks that incorporate appropriate support facilities such as fire equipment, EVA, canteens for the workers, shared parking, a variety of lifts and hydraulic equipment, etc.

The applied use is not in line with the planning intention of the "Agriculture" zone which is to retain and safeguard good agricultural land for agricultural purposes. This zone is also intended to retain fallow arable land with good potential for rehabilitation. No strong planning justification has been given in the submission for a departure from the planning intention.

Approval of the applications would set an undesirable precedent of perpetuating inappropriate use of Agriculture zoned land. According to the Policy Address

126: The Government proactively supports the development of local agriculture and will explore ways to optimise use of quality agricultural land through planning and land management .

TPB must play its part in ensuring that the Policy is implemented. Approval would encourage the proliferation of brownfield sites at a time when the general public is very concerned about abuse of zoning and degrading of sites.

The application must be rejected.

Mary Mulvihill

3

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



Comments on the Section 16 Application No. A/NE-TKL/726

24/05/2023 15:33

A/NE-MKT/56

From: Roy Ng <roy@cahk.org.hk>
To: tpbpd <tpbpd@pland.gov.hk>
File Ref:

1 attachment



TPB20230524(MKT26).pdf

Dear Sir/Madam,

Please refer to the attachment for the captioned.

Yours faithfully,

Ng Hei Man (Mr.)

Campaign Manager

The Conservancy Association

T: 2728 6781

D: 2272 0303

F: 2728 5538

Registered Name 註冊名稱 : The Conservancy Association 長春社

(Incorporated in Hong Kong with limited liability by guarantee 於香港註冊成立的擔保有限公司)

This email is for the sole use of the intended recipient(s) and may contain confidential information. Unauthorised use, disclosure or distribution of this email or its content is prohibited. If you have received this email in error, please delete it and notify the sender.



長春社

Since 1968

The Conservancy Association

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

24th May 2023

Town Planning Board
15/F North Point Government Offices
333 Java Road
North Point
Hong Kong

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

Dear Sir/Madam,

Comments on the Section 16 Application No. A/NE-MKT/26

The Conservancy Association (CA) OBJECTS to the captioned application.

1. Not in line with the planning intention of Agriculture (AGR) zone

According to the approved Man Kam To Outline Zoning Plan (OZP) No. S/NE-MKT/4, the planning intention of AGR zone *“is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes”*. However, the proposed use, even temporary in nature, is not related to agriculture. We cannot see any details to justify how such plan would fulfill the above planning intention.

2. Undesirable precedent for similar applications

This site has been subject to land formation and vegetation clearance (Figure 1-4) since April 2010. It is suspected that this is a case of “destroy first, build later”.

Planning Department and members of Town Planning Board (TPB) should alert that TPB has announced approaches to deter “destroy first, build later” activities in 2011. It 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*



長春社

Since 1968

The Conservancy Association

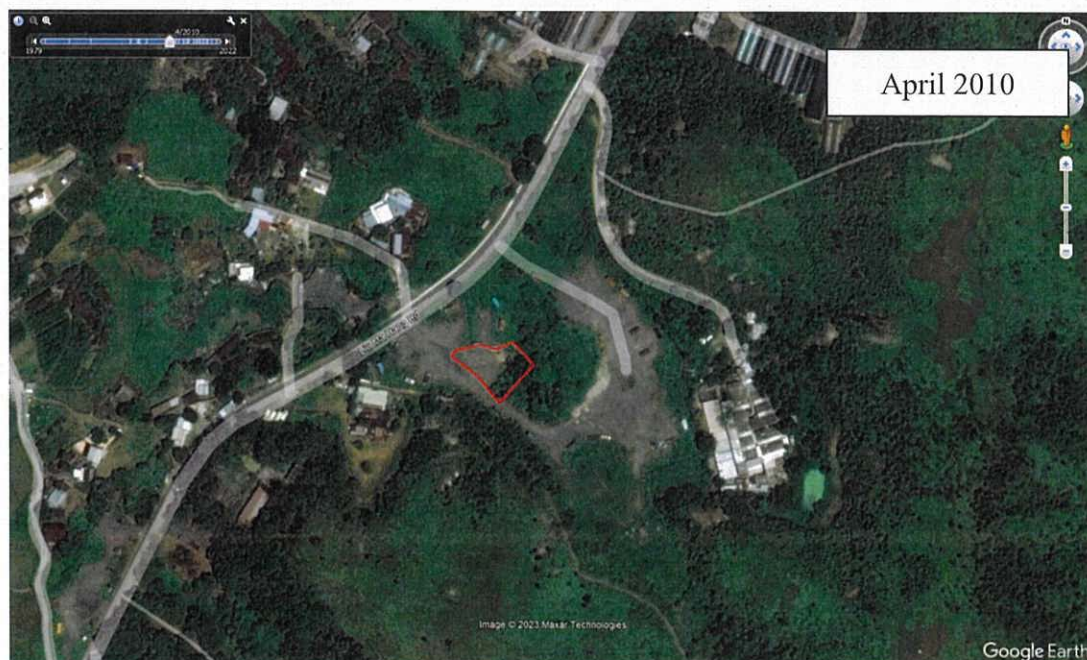
會址: 香港新界葵涌貨櫃碼頭路 77-81 號 Magnet Place 一期十三樓 1305-6 室 電話 Tel.: (852) 2728 6781 傳真 Fax.: (852) 2728 5538
Add.: Units 1305-6, 13/F, Tower 1, Magnet Place, 77-81 Container Port Road, Kwai Chung, New Territories, H.K. 電子郵件 E-mail: cahk@cahk.org.hk
網址 Website: www.cahk.org.hk

*development on the site concerned*¹. Therefore, this application should not be given any sympathetic consideration, or it will set an undesirable precedent for similar cases in future.

Yours faithfully,
Ng Hei Man
Campaign Manager
The Conservancy Association

¹ TPB Press Release. Available at: <http://www.info.gov.hk/gia/general/201107/04/P201107040255.htm>

Figure 1-4 According to aerial photos (Source: Google Earth), this site (marked in red) has been subject to land formation and vegetation clearance since April 2010. It is suspected that this is a case of “destroy first, build later”.





長春社

Since 1968

The Conservancy Association

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



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



KFBG's comments on eight planning applications

25/05/2023 13:49

From: EAP KFBG <eap@kfbg.org>
To: "tpbpd@pland.gov.hk" <tpbpd@pland.gov.hk>
File Ref:

7 attachments



230525 s17 FTA 222.pdf



230525 s16 TKL 726.pdf



230525 s16 MKT 26.pdf



230525 s16 LK 149-150.pdf



230525 s12a KTS 17c.pdf



230525 s16 ST 646.pdf



230525 s16 PH 951.pdf

Dear Sir/ Madam,

Attached please see our comments regarding eight applications. There are SEVEN pdf files attached to this email. If you cannot see/ download/ open these files, please notify us through email.

Thank You and Best Regards,

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden

Email Disclaimer:

The information contained in this e-mail (including any attachments) is confidential and is intended solely for the addressee. If you are not the intended recipient, please notify the sender immediately and delete this e-mail from your system. Any unauthorised use, disclosure, copying, printing, forwarding or dissemination of any part of this information is prohibited. KFBG does not accept responsibility and shall not be liable for the content of any e-mail transmitted by its staff for any reason other than bona fide official purposes. There is no warranty that this e-mail is error or virus free. You should not rely on any information that is not transmitted via secure technology.

The Secretary,
Town Planning Board,
15/F, North Point Government Offices,
333, Java Road, North Point,
Hong Kong.
(Email: tpbpd@pland.gov.hk)

25th May, 2023.

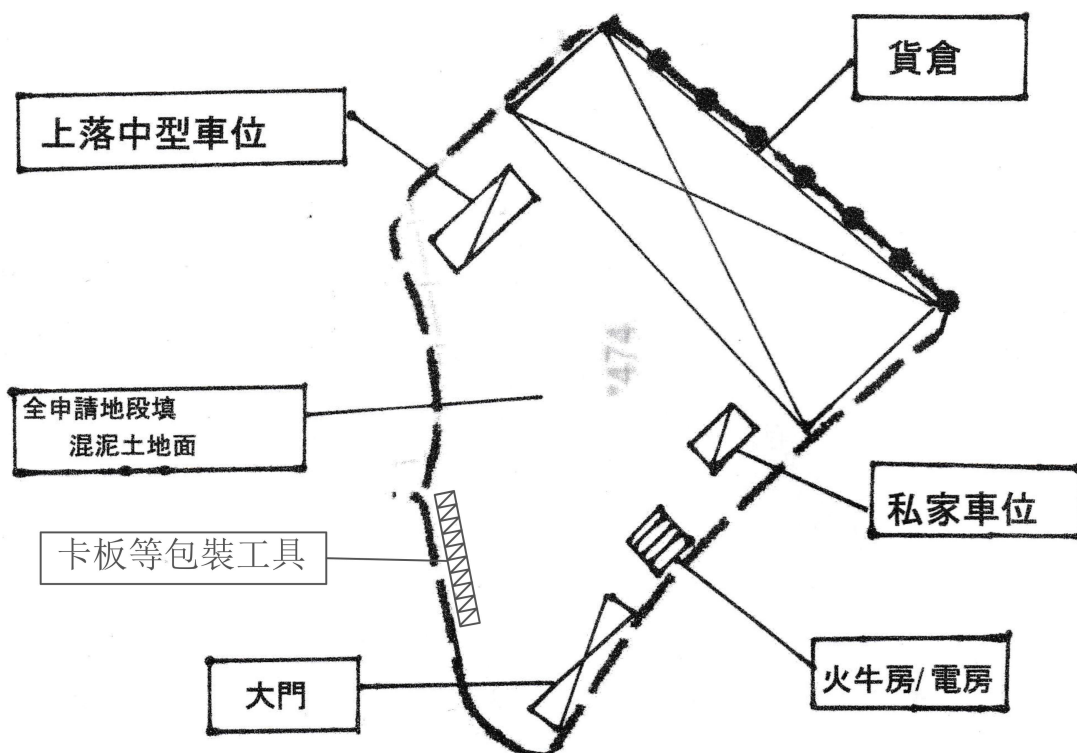
By email only

Dear Sir/ Madam,

**Proposed Temporary Warehouse for Storage of Electronic Products and Open
Storage of Packaging Tools for a Period of 3 Years and Filling of Land
(A/NE-MKT/26)**

1. We refer to the captioned.
2. We urge the Board to liaise with relevant authorities as to whether there is any ongoing enforcement case covering the application site; if yes, we urge the Board to consider whether it is appropriate to approve this application.
3. Thank you for your attention.

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden



圖目：

佈局圖

申請地段：DD90LOT474

申請用途：

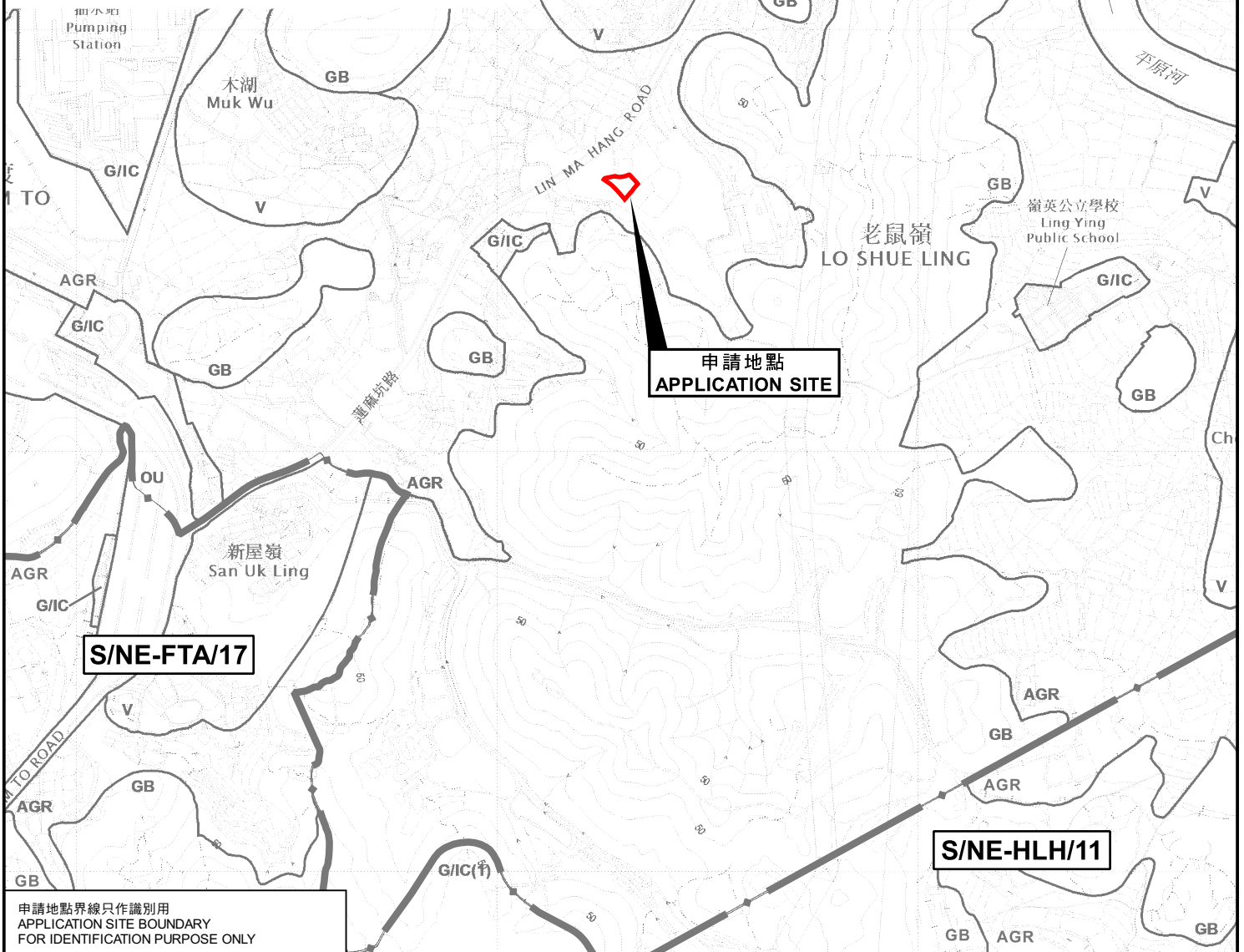
擬議臨時貨倉存放電子 品及露天擺放卡板等工具及填土工程
為期三年

圖號：2



要覽圖 KEY PLAN

SCALE 1:50 000 比例尺

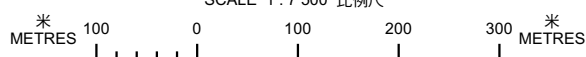


申請地點界線只作識別用
APPLICATION SITE BOUNDARY
FOR IDENTIFICATION PURPOSE ONLY

本摘要圖於2023年6月13日擬備，
所根據的資料為：
於2023年4月28日展示的分區計劃大綱圖編號S/NE-FTA/17，
於2017年12月5日核准的分區計劃大綱圖編號S/NE-HLH/11及
於2017年12月5日核准的分區計劃大綱圖編號S/NE-MKT/4
EXTRACT PLAN PREPARED ON 13.6.2023
BASED ON OUTLINE ZONING PLANS No.
S/NE-FTA/17 EXHIBITED ON 28.4.2023,
S/NE-HLH/11 APPROVED ON 5.12.2017 AND
S/NE-MKT/4 APPROVED ON 5.12.2017

位置圖 LOCATION PLAN

擬議臨時貨倉存放電子產品及露天存放包裝工具(為期3年)及填土工程
新界文錦渡蓮麻坑路丈量約份第90約地段第474號
PROPOSED TEMPORARY WAREHOUSE FOR STORAGE OF
ELECTRONIC PRODUCTS AND OPEN STORAGE OF PACKAGING TOOLS
FOR A PERIOD OF 3 YEARS AND FILLING OF LAND
LOT 474 IN D.D. 90, LIN MA HANG ROAD, MAN KAM TO, N.T.
SCALE 1:7 500 比例尺

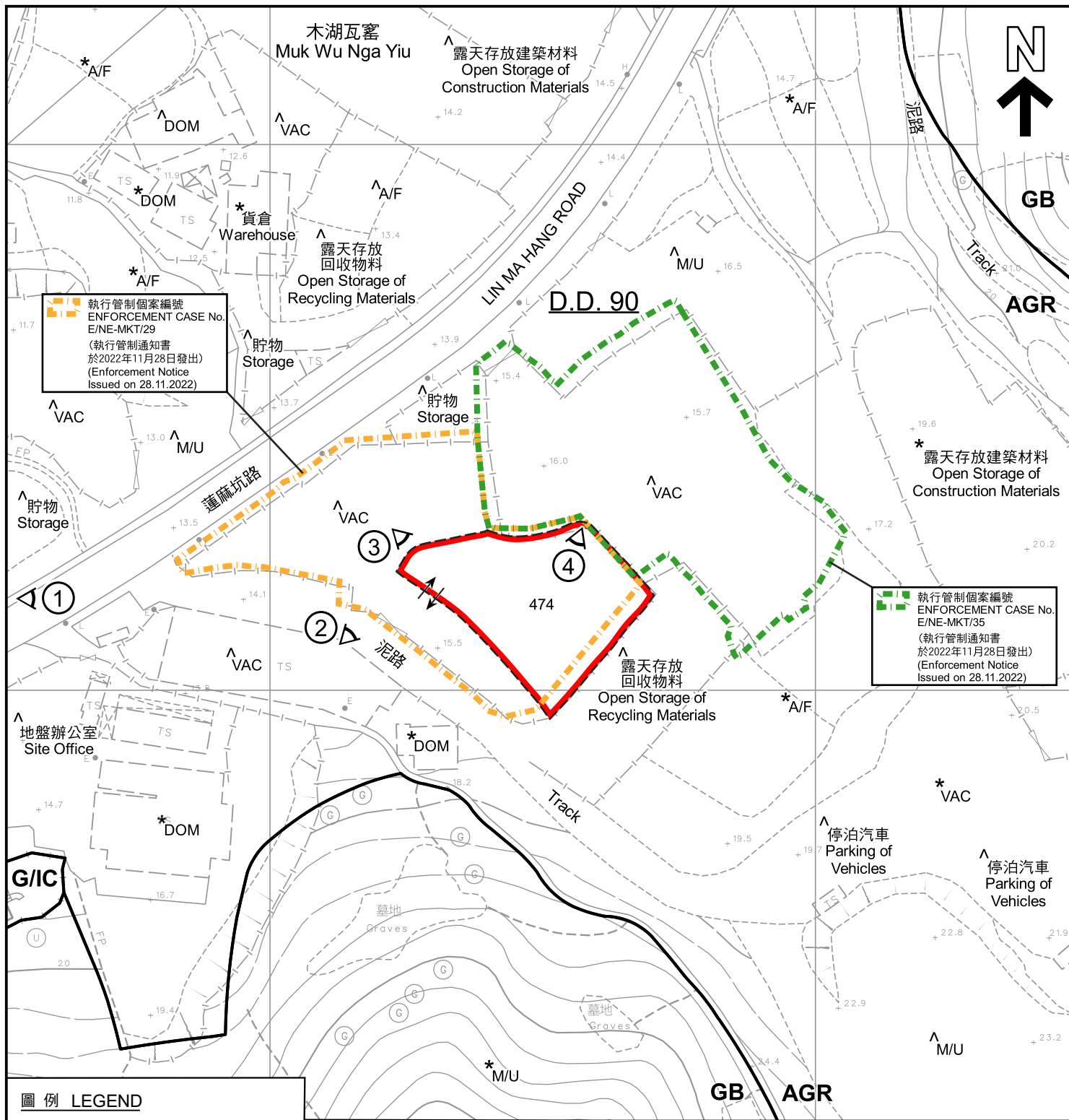


規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/NE-MKT/26

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)

AGR 農業
AGRICULTURE

GB 綠化地帶
GREEN BELT

G/IC 政府、機構或社區
GOVERNMENT, INSTITUTION OR COMMUNITY

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

入口/出口
INGRESS / EGRESS

實地照片的觀景點
VIEWING POINT OF SITE PHOTO

註釋 Notes :

- (1) 2023年5月23日勘測的土地用途
Land uses shown on this plan are in accordance with the land use survey conducted by the Planning Department on 23.5.2023
- (2) * 土地用途跟2010年8月1日勘測的土地用途一致
Indicates that the use is the same as that revealed by the land use survey conducted by the Planning Department on 1.8.2010
- (3) ^ 土地用途跟2010年8月1日勘測的土地用途有別
Indicates that the use is different from that revealed by the land use survey conducted by the Planning Department on 1.8.2010

平面圖 SITE PLAN

擬議臨時貨倉存放電子產品及露天存放包裝工具（為期3年）及填土工程
PROPOSED TEMPORARY WAREHOUSE FOR STORAGE OF ELECTRONIC PRODUCTS AND OPEN STORAGE OF PACKAGING TOOLS FOR A PERIOD OF 3 YEARS AND FILLING OF LAND
LOT 474 IN D.D. 90, LIN MA HANG ROAD, MAN KAM TO, N.T.

SCALE 1 : 1 000 比例尺

米 METRES 20 0 20 40 米 METRES

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/NE-MKT/26

圖 PLAN
A-2

本摘要圖於2023年6月16日擬備，
所根據的資料為測量圖編號
3-NW-12C及17A
EXTRACT PLAN PREPARED ON 16.6.2023
BASED ON SURVEY SHEETS No.
3-NW-12C & 17A



圖例 LEGEND

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

本摘要圖於2023年6月19日擬備，
所根據的資料為地政總署於2022年1月19日
拍得的航攝照片編號E147079C
EXTRACT PLAN PREPARED ON 19.6.2023
BASED ON AERIAL PHOTO No. E147079C
TAKEN ON 19.1.2022 BY
LANDS DEPARTMENT

航攝照片 AERIAL PHOTO

擬議臨時貨倉存放電子產品及露天存放包裝工具（為期3年）及填土工程
新界文錦渡蓮麻坑路丈量約份第90約地段第474號
PROPOSED TEMPORARY WAREHOUSE FOR STORAGE OF
ELECTRONIC PRODUCTS AND OPEN STORAGE OF PACKAGING TOOLS
FOR A PERIOD OF 3 YEARS AND FILLING OF LAND
LOT 474 IN D.D. 90, LIN MA HANG ROAD, MAN KAM TO, N.T.

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/NE-MKT/26

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

本圖於2023年6月16日擬備，
所根據的資料為攝於2023年5月18日
的實地照片
PLAN PREPARED ON 16.6.2023
BASED ON SITE PHOTO TAKEN ON
18.5.2023

擬議臨時貨倉存放電子產品及露天存放包裝工具(為期3年)及填土工程
新界文錦渡蓮麻坑路丈量約份第90約地段第474號
PROPOSED TEMPORARY WAREHOUSE FOR STORAGE OF
ELECTRONIC PRODUCTS AND OPEN STORAGE OF PACKAGING TOOLS
FOR A PERIOD OF 3 YEARS AND FILLING OF LAND
LOT 474 IN D.D. 90, LIN MA HANG ROAD, MAN KAM TO, N.T.

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/NE-MKT/26

圖 PLAN
A-4a



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

實地照片 SITE PHOTOS

本圖於2023年6月12日擬備，
所根據的資料為攝於2023年5月18日
的實地照片
PLAN PREPARED ON 12.6.2023
BASED ON SITE PHOTOS TAKEN ON
18.5.2023

擬議臨時貨倉存放電子產品及露天存放包裝工具(為期3年)及填土工程
新界文錦渡蓮麻坑路丈量約份第90約地段第474號
PROPOSED TEMPORARY WAREHOUSE FOR STORAGE OF
ELECTRONIC PRODUCTS AND OPEN STORAGE OF PACKAGING TOOLS
FOR A PERIOD OF 3 YEARS AND FILLING OF LAND
LOT 474 IN D.D. 90, LIN MA HANG ROAD, MAN KAM TO, N.T.

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/NE-MKT/26

圖 PLAN
A-4b

79. After deliberation, the TPB decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 23.6.2027, and after the said date, the permissions should cease to have effect unless before the said date, the developments permitted were commenced or the permissions were renewed. Each of the permissions was subject to the following condition :

“the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

80. The Committee also agreed to advise the applicants to note the advisory clauses as set out at Appendix VII of the Papers.

Agenda Item 23

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-MKT/26 Proposed Temporary Warehouse for Storage of Electronic Products and Open Storage of Packaging Tools for a Period of 3 Years and Associated Filling of Land in “Agriculture” Zone, Lot 474 in D.D. 90, Lin Ma Hang Road, Man Kam To
(RNTPC Paper No. A/NE-MKT/26)

Presentation and Question Sessions

81. With the aid of some plans, Mr Tim T.Y. Fung, STP/STN, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department did not support the application.

82. Members had no question on the application.

Deliberation Session

83. After deliberation, the Committee decided to reject the application. The reasons

were :

- “(a) the proposed use 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. It is also intended 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 such planning intention, even on a temporary basis; and
- (b) the applicant fails to demonstrate that the proposed use would not generate adverse traffic impact on the surrounding areas.”

Agenda Item 24

Section 16 Application

[Open Meeting]

A/NE-TKL/715 Proposed Temporary Rural Workshop (Furniture Processing) with Ancillary Warehouse for a Period of 3 Years in “Agriculture” Zone, Lots 2264 and 2265 (Part) in D.D. 76, Ta Kwu Ling
(RNTPC Paper No. A/NE-TKL/715A)

84. The Secretary reported that the application site (the Site) was located in Ta Kwu Ling. Dr Conrad T. C. Wong had declared an interest on the item for his firms owning some land in Ta Kwu Ling. As the land owned by Dr Conrad T. C. Wong’s firms had no direct view of the Site, the Committee agreed that he could stay in the meeting.

85. The Committee noted that the applicant’s representative requested on 15.6.2023 deferment of consideration of the application for two months so as to allow more time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

~~86. After deliberation, the Committee decided to defer a decision on the application~~

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 Email

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-MKT/26

14 July 2023

(Attn.: 余建飛)

Dear Sir/Madam,

**Proposed Temporary Warehouse for Storage of Electronic Products and
Open Storage of Packaging Tools for a Period of 3 Years and Associated Filling of
Land in "Agriculture" Zone, Lot 474 in D.D. 90, Lin Ma Hang Road, Man Kam To**

I refer to my letter to you dated 16.6.2023.

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

- (a) the proposed use 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. It is also intended 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 such planning intention, even on a temporary basis; and
- (b) you fail to demonstrate that the proposed use would not generate adverse traffic impact on the surrounding areas.

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/721_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 23.6.2023, 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 4.8.2023). 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. Tim Fung of Sha Tin, Tai Po & North District Planning Office at 2158 6237.

Yours faithfully,



(Leticia LEUNG)
for Secretary, Town Planning Board

(With Chinese Translation)

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



To: Markie Wing Leuk AU/PLAND/HKSARG@PLAND

Cc:

Bcc:

Subject: Fw: A/NE-MKT/26規劃申請的批核結果申請覆核

File Ref:

From: Suki Chi Nga LAM/PLAND/HKSARG - Thursday 03/08/2023 10:16

History: This message has been forwarded.

----- Forwarded by Suki Chi Nga LAM/PLAND/HKSARG on 03/08/2023 10:15 -----

From:

Sent: Tuesday, July 25, 2023 5:41 PM

To: TPBPD@pland.gov.hk

Subject: A/NE-MKT/26規劃申請的批核結果申請覆核

此電郵為A/NE-NKT/26的批核結果申請覆核，
早前本人在網上見到批核結果的時候，曾經寄過一封電郵，然後有城規會辦事人員聯絡我去，通知我在收到城規會的會議結果之後，再申請覆核，然而我一時沒有發現該會議結果的
電郵，所以只至今日才發出申請覆核的電郵，
請體諒。

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



FW: 申請編號：A/NE/MKT/26 & A/NE-MKT/27之上訴覆核及提交進一步資料
04/09/2023 09:46

From: <tpbpd@pland.gov.hk>
To: <stndpo@pland.gov.hk>
Cc: <gwmlam@pland.gov.hk>
File Ref:

From: December Huang < >
Sent: Friday, September 1, 2023 3:01 PM
To: tpbpd@pland.gov.hk
Subject: 申請編號：A/NE/MKT/26 & A/NE-MKT/27之上訴覆核及提交進一步資料

本兩處申請得到了貴署的反對，並提交了反對原因。本申請人原定今天前往城市規劃委員會進行面談，但因天氣問題暫時擱置，現本申請人先於電子郵件提供部分文件資料。

原定DD90，LOT474段申請作為貨倉存放電子產品及露天存放包裝工具，貴署拒絕的原因為當地沒有先例。但附近五十米不到的同屬農地的卻得到了興建木廠的批准（見附圖1-2）

個人資料的聲明

委員會就每份意見所收到的個人資料會交給委員會秘書及政府部門，以根據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) 處理有關申請，包括公布意見供公眾查閱，同時公布「提意見人」的姓名供公眾查閱；以及

(b) 方便「提意見人」與委員會秘書及政府部門之間進行聯絡。

附表

申請編號	地點	申請人提出覆核的事項	就覆核申請提出意見的期限
A/NE-KLH/623	新界大埔圍頭丈量約份第7約地段第975號A分地段餘段	拒絕擬議字(新界豁免管制屋宇-小型屋宇)的申請	2023年9月1日
A/NE-MKT/26	新界文錦渡運庫坑路丈量約份第90約地段第474號	拒絕擬議臨時貨倉存放電子產品及露天存放包裝工具(為期3年)及相關填土工程的申請	2023年9月1日
A/NE-MKT/27	新界文錦渡坪洋路丈量約份第82約地段第751號B分地段餘段	拒絕擬議臨時貨倉存放機械零件及露天存放建築機械車輛辦公室(為期3年)的申請	2023年9月1日

2023年8月11日

城市規劃委員會

九龍灣 寶貴為長者提供健康訓練和散步運動、協助管理
金豐里紀老護理安老院 金豐里社區中心(基灣)工作





本申請人並不明白，為何貴署可以用這種近乎敷衍的理由去拒絕這單申請。該地段周邊並無鄰近之居民，露天及倉儲擺放並不會對居民造成影響，同樣的是，本地段的交通狀況十分良好，存放動作並不會造成負面影響，反而該地段有對儲存倉庫的需求性。希望貴署能提供解釋及重新檢視本單申請的需求性。

其二，原定DD82，LOT751段同樣申請作為貨倉及露天擺放，與上面申請相同，不過貴署還給出了居民投訴的原因。據本申請人所知，周邊僅有三四戶人家，而本申請人亦就著申請曾向他們諮詢過意見，得到了正面的反饋。貴署並沒有提出居民投訴的原因，令本申請人十分困惑。同樣，周邊有相似的農地得到了批准，而本申請則沒有。同樣，在元朗流浮山一帶亦有相似個案得到了貴署的批准。（見附圖3-4）因而本申請人提供上訴覆核，希望貴署能重新考慮所有文件及倉儲在文錦渡段的重要性。

第 16 條申請編號 A/YL-LFS/478	擬在劃為「鄉村式發展」地帶的屯門大帽涌第 38.5 的地段第 263 號 B 分段(部分)及第 268 號(部分)開設臨時燒烤場及食肆(為期三年)(公開會議)	延期
第 16 條申請編號 A/YL/305	為批給在劃為「其他指定用途」註明「附設地面商場之公眾停車場(1)」地帶的元朗東頭工業區喜業街 16 號駿佳廣場地面商場 3 號及 6 號作茶餐廳(教堂)用途的規劃許可續期五年(公開會議)	在有附帶條件下批給臨時性質的許可，為期五年
第 16 條申請編號 A/YL-HTF/1155	擬在劃為「農業」地帶的元朗厦村第 128 的地段第 298 號餘段(部分)臨時露天存放建築材料(為期三年)(公開會議)	在有附帶條件下批給臨時性質的許可，為期三年
第 16 條申請編號 A/YL-LFS/478	擬在劃為「康樂」地帶的元朗流浮山第 129 的地段第 1979 號 A 分段、第 1979 號餘段、第 1980 號、第 1981 號及第 1982 號開設臨時貨倉存放汽車零件及建築材料(為期三年)(公開會議)	在有附帶條件下批給臨時性質的許可，為期三年

屯門及元朗西區		類別
第 16 條申請編號 A/YL-LFS/479	在劃為「康樂」地帶的元朗流浮山第 129 的地段第 1973 號 A 分段、第 1973 號餘段、第 1974 號、第 1975 號及第 1976 號	在有附帶條件下批給臨時性質的許可

沙田、大埔及北區	決定
第 16 條申請編號 A/NE-LYT/797 擬在劃為「農業」地帶的粉嶺蘭頭村第 76 約地段第 1526 號 C 分段興建屋宇(新界豁免管制屋宇)(小型屋宇)(公開會議)	在有附帶條件下批准
第 16 條申請編號 A/NE-LYT/798 擬在劃為「農業」地帶的粉嶺蘭頭村第 76 約地段第 1526 號 D 分段興建屋宇(新界豁免管制屋宇)(小型屋宇)(公開會議)	在有附帶條件下批准
第 16 條申請編號 A/NE-TKL/734 在劃為「農業」地帶的坪輦第 82 約地段第 1098 號(部分)、第 1099 號 A 分段(部分)、第 1099 號 B 分段(部分)、第 1100 號(部分)、第 1101 號(部分)及第 1105 號 A 分段餘段和毗連政府土地臨時露天存放建築材料、器材及機械，並作附屬存放建築器材、機械及工具和地盤辦公室用途(為期三年)(公開會議)	在有附帶條件下批給臨時性質的許可，為期三年
第 16 條申請編號 A/NE-WKT/2(要求延期) 擬在劃為「鄉村式發展」地帶的烏蛟騰三家村第 57 約地段第 741 號 B 分段第 2 小分段、第 741 號 B 分段第 4 小分段、第 741 號 B 分段第 5 小分段(部分)、第 741 號 B 分段餘段、第 741 號 C 分段(部分)及第 741 號餘段(部分)和毗連政府土地開設臨時私人停車場(只限私家車)及充電裝置(為期三年)(公開會議)	延期

本人預定9月4後颱風過去前往城規會與貴署面談，如果可以希望貴署能聯絡本申請人確實具體時間，十分感謝。

聯絡電話： 曾生

英盛（合和）工程有限公司

**Similar S.16 Applications for Proposed Temporary Warehouse/
Proposed Temporary Open Storage
within/partly within “Agriculture” zone in the vicinity of the Site
in the Man Kam To Area**

Rejected Applications

Application No.	Uses / Developments	Date of Consideration	Rejection Reasons
A/NE-MKT/25	Proposed Temporary Warehouse and Open Storage for Construction Materials for a Period of 3 Years	11.9.2023	R1, R2 – R3
A/NE-MKT/31	Proposed Temporary Logistics Warehouse (Excluding Dangerous Goods) and Ancillary Office for a Period of 3 Years and Filling of Land	27.10.2023	R1, R2, R4
A/NE-MKT/29	Proposed Temporary Warehouse for Storage of Engineering Tools and Equipment for a Period of Three Years	10.11.2023	R1, R5

Rejection Reasons:

- R1 The development was not in line with the planning intention of the "Agriculture" ("AGR") zone, which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It was also intended 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 to merit a departure from such planning intention, even on a temporary basis.
- R2 The development did not comply with Town Planning Board Guidelines PG-No. 13G for “Application for Open Storage and Port Back-up Uses” in that no previous approval has been granted to the site and there were adverse departmental comments and local objections.
- R3 The applicant failed to demonstrate in the submission that the development would not generate adverse traffic, drainage and environmental impacts on the surrounding areas.
- R4 The applicant failed to demonstrate in the submission that the development would not generate adverse traffic, drainage, landscape, environmental and slope safety impacts on the surrounding areas.
- R5 The applicant failed to demonstrate in the submission that the development would not generate adverse environmental impact on the surrounding areas.

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

R-1

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

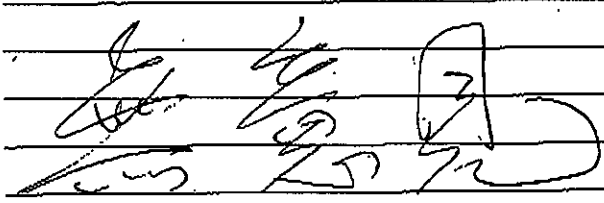
By e-mail : tpbpd@pland.gov.hk

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

A/NE-MKT/26

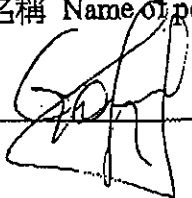
意見詳情 (如有需要，請另頁說明)

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

2023. 08. 18

The Secretary,
Town Planning Board,
15/F, North Point Government Offices,
333, Java Road, North Point,
Hong Kong.
(Email: tpbpd@pland.gov.hk)

R-2

30th August, 2023.

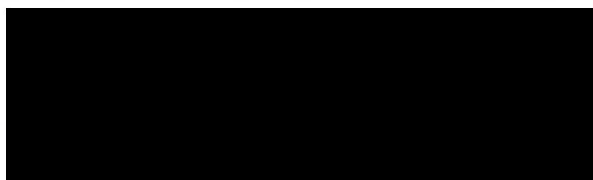
By email only

Dear Sir/ Madam,

**Proposed Temporary Warehouse for Storage of Electronic Products and Open
Storage of Packaging Tools for a Period of 3 Years and Filling of Land
(A/NE-MKT/26)
(Review under Section 17)**

1. We refer to the captioned.
2. We urge the Board to liaise with relevant authorities as to whether there is any ongoing enforcement case covering the application site; if yes, we urge the Board to consider whether it is appropriate to approve this application.
3. Thank you for your attention.

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden



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

Seq 1

R-3

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/NE-MKT/26 Received on 01/09/2023

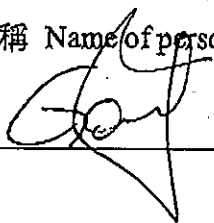
意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

無意見

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

簽署 Signature



日期 Date

2023.9.20

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



Re: A/NE-MKT 26 DD 90 Lin Ma Hang Road

05/10/2023 02:44

From:

To:

File Ref:

tpbpd <tpbpd@pland.gov.hk>

Eq1

R-4

Dear TPB Members,

Rejection of 23 June supported.

Majority of the Site is subject to active planning enforcement action against unauthorized developments (UDs) involving intensification of storage use (including deposit of containers) (No. E/NE-MKT/29 and E/NE-MKT/35). Enforcement Notices (ENs) were issued on 28.11.2022 requiring discontinuation of the UD by 28.1.2023. **Subsequent site inspections on 24.4.2023 revealed that only part of the UD have been discontinued. Prosecution action is being considered by the Planning Authority.**

Approval would send a message that Destroy First and unapproved operations are tolerated. This would encourage further incursions of brownfield into the district.

The previous 'Closed Area' cannot become another Kam Shan Road scenario that is Third World not the advanced cityscape that Hong Kong is promoting on an international level.

Mary Mulvihill

From:

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

Date: Saturday, 27 May 2023 4:44 AM CST

Subject: A/NE-MKT 26 DD 90 Lin Ma Hang Road

A/NE-MKT/26

Lot 474 in D.D. 90, Lin Ma Hang Road, Man Kam To

Site area: About 890sq.m

Zoning : "Agriculture"

Applied use: Warehouse / Open Storage / 2 Vehicle Parking / **Filling of Land**

Dear TPB Members,

Strong objections. Previous application withdrawn but operation went ahead.

It is disgraceful that since the opening up of the area despite lessons that should have been learned from the third world conditions that were permitted in Kam Tin and other NT districts, the same scenario is being allowed to develop at Lin Ma Hang Road.

Members should ask if any enforcement action has been taken re the many unapproved brownfield operations along the road.

Previous objections applicable and upheld.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Tuesday, 24 January 2017 12:25 AM CST
Subject: A/NE-MKT Lin Ma Hang Road

A/NE-MKT (A/NE-MKT/3)
Lots in D.D. 90 and Adjoining Government Land, Lin Ma Hang Road, Man Kam To, Sheung Shui
Site area : About 4,169 m² Includes Government Land of about 480 m²
Zoning : "Agriculture"
Applied Use: Open Storage Construction Materials

Dear TPB Members,

No previous history of applications but it says that site is being used to store containers,
We can therefore presume that it is a browfield site..

These facilities represent a most inefficient form of land use, whereby a large surface area is used to accommodate a relatively small enterprise. Facilities like this should be accommodated in custom built high rise industrial parks that incorporate appropriate support facilities such as fire equipment, EVA, canteens for the workers, shared parking, a variety of lifts and hydraulic equipment, etc.

The applied use is not in line with the planning intention of the "Agriculture" zone which is to retain and safeguard good agricultural land for agricultural purposes. This zone is also intended to retain fallow arable land with good potential for rehabilitation. No strong planning justification has been given in the submission for a departure from the planning intention.

Approval of the applications would set an undesirable precedent of perpetuating inappropriate use of Agriculture zoned land. According to the Policy Address

126: The Government proactively supports the development of local agriculture and will explore ways to optimise use of quality agricultural land through planning and land management .

TPB must play its part in ensuring that the Policy is implemented. Approval would encourage the proliferation of brownfield sites at a time when the general public is very concerned about abuse of zoning and degrading of sites.

The application must be rejected.

Mary Mulvihill

Recommended Advisory Clauses

- (a) to note the following comments of the District Lands Officer/North, Lands Department that:
- (i) should planning approval be given to the subject planning application, the owner(s) of the lot will need to apply to this office for a Short Term Waiver (STW) to permit the structure(s) to be erected. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. The application will be considered by the LandsD acting in the capacity of the lessor at its sole discretion and there is no guarantee that such application will be approved. If such application is approved, its commencement date would be backdated to the first date of the occupation and it will be subject to such terms and conditions, including among others the payment of fee and administrative fee, as may be imposed by the LandsD;
 - (ii) as land filling works is proposed, the applicant should comply with all the land filling requirements imposed by relevant Government department(s), if any and in no event cause any disturbance to Government land;
- (b) to note the comments of the Director of Environmental Protection (DEP) that the applicant is advised to follow the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” issued by EPD to minimise potential environmental nuisance to the surrounding areas;
- (c) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department that the access road leading from Lin Ma Hang Road to the Site is not maintained by HyD;
- (d) to note the following comments of the Chief Engineer/Mainland North, Drainage Services Department that:
- (i) the Site is in an area where no public sewer connection is available;
 - (ii) the applicant is advised on the following general requirements of the drainage proposal:
 - surface channel with grating covers should be provided along the site boundary;
 - a drainage plan should be provided clearly showing the size, levels and routes of the proposed drainage. The details (invert level, gradient, general sections etc.) of the proposed drain/ surface channel, catchpits and the discharge structure shall be provided;
 - the cover levels of proposed channels should be flush with the existing adjoining ground level;
 - a catchpit with covers should be provided where there is a change of direction of the channel/drain. The details of the catchpit with covers shall be provided;
 - catchpits with sand trap shall be provided at the outlets of the proposed drainage system. The details of the catchpit with sand trap should be provided;

- the applicant should check and ensure that the existing drainage downstream to which the proposed connection will be made have adequate capacity and satisfactory condition to cater for the additional discharge from the Site. The applicant should also ensure that the flow from the Site will not overload the existing drainage system;
- the applicant is reminded that where walls are erected or kerbs are laid along the boundary of the same, peripheral channels should be provided on both sides of the walls or kerbs, and/or adequate openings should be provided at the walls/kerbs to allow existing overland flow passing through the Site to be intercepted by the drainage system of the Site with details to be agreed by DSD, unless justified not necessary;
- the applicant is reminded that all existing flow paths as well as the run-off falling onto and passing through the Site should be intercepted and disposed of via proper discharge points. The applicant shall also ensure that no works, including any site formation works, shall be carried out as may adversely interfere with the free flow condition of the existing drains, channels and watercourses on or in the vicinity of the Site any time during or after the works;
- the proposed drainage works, whether within or outside the site boundary, should be constructed and maintained properly by the applicant and rectify the system if it is found to be inadequate or ineffective during operation at his/her own expense;
- for works to be undertaken outside the lot boundary, the applicant should obtain prior consent and agreement from DLO/N and/or relevant private lot owners;
- the applicant should make good all the adjacent affected areas upon the completion of the drainage works;
- the applicant shall allow all time free access for the Government and its agent to conduct site inspection on his completed drainage works;
- the applicant and the successive lot owners shall allow connections from the adjacent lots to the completed drainage works on Government Land when so required;
- photos should be submitted clearly showing the current conditions of the area around the Site, the existing drainage/flowpaths around the Site, the proposed drainage from the Site to the downstream existing watercourse and the existing watercourse at about 20m intervals. The locations of the camera and the direction of each photo should also be indicated on a plan;

(e) to note the following comments of the Director of Fire Services that:

- (i) in consideration of the design/nature of the proposal, Fire Service Installations (FSIs) are anticipated to be required. The applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to this department for approval. In addition, the applicant should also be advised on the following points:

- 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;
- (ii) the applicant is reminded to submit a valid fire certificate (FS 251) to this department for approval; and
- (iii) the applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.