

RNTPC Paper No. A/NE-TK/745
For Consideration by the
Rural and New Town Planning
Committee on 18.3.2022

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-TK/745

<u>Applicant</u>	: Mr. CHIM Kwan Wo represented by PlanArch Consultants Ltd.
<u>Site</u>	: Lots 626 (Part), 627 (Part), 629 (Part), 630 (Part), 631 (Part), 632, 634 (Part) in D.D. 23 and Adjoining Government Land, Ting Kok, Tai Po, New Territories
<u>Site Area</u>	: About 1,695 m ² (including about 310 m ² of government land)
<u>Lease</u>	: Block Government Lease (demised for agricultural purpose)
<u>Plan</u>	: Approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/19
<u>Zoning</u>	: “Agriculture” (“AGR”)
<u>Application</u>	: Temporary Warehouse (Storage of Grain, Cooking Oil and Grocery) for a Period of 3 Years

1. The Proposal

- 1.1 The applicant seeks planning permission for a temporary warehouse (storage of grain, cooking oil and grocery) use for a period of 3 years at the application site (the Site) (**Plan A-1**). According to the Notes of the OZP, temporary use or development of any land or building not exceeding a period of 3 years requires planning permission from the Town Planning Board (the Board) notwithstanding that the use or development is not provided for in terms of the OZP. The Site is currently used for the applied use without valid planning permission.
- 1.2 According to the applicant’s submission, the applied use comprises seven single-storey structures with a total GFA of about 897 m² and heights of not more than 4.8 m for storage, ancillary office/store and rest area uses. A loading/unloading bay for light goods vehicle (7m x 3.5m) and a parking space for private car (5m x 2.5m) are provided within the Site to support the operation. The operation hours are from 9:00 a.m. to 6:00 p.m. from Mondays to Saturdays, and there will be no operation on Sundays and public holidays. The Site is accessible via a local vehicular track leading to Ting Kok Road. A layout plan of the applied use is at **Drawing A-1**.

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

- (a) application form received on 24.1.2022 (Appendix I)
- (b) planning statement (Appendix Ia)

2. **Justifications from the Applicant**

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

- (a) a large part of the Site was formed and has been used for open storage and warehouse for grain, cooking oil and grocery by the applicant and his father since 1986, which was in existence before the gazettal of Ting Kok Interim Development Permission Area (IDPA) Plan on 7.9.1990. The use has been expanded since operation and the current application seeks to regularise such expansion;
- (b) the development is compatible with the adjoining land uses in terms of scale and nature. The operation is decent and tidy, and does not cause noise nuisance;
- (c) peripheral fencing and planting are provided to minimise visual impact to the surrounding areas and enhance visual quality. The applicant will carry out regular maintenance for the trees to ensure that they are in good condition;
- (d) the Site and its surrounding areas are not prone to flooding. Drainage facilities are found adjoining the Site. The applied use will not result in adverse drainage impact on the surrounding areas;
- (e) the applicant has undertaken environmental mitigation measures in accordance with the “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” to ensure that the applied use will not result in adverse environmental impact on the surrounding areas;
- (f) the applied use will not result in adverse traffic impact on the local road network. It is accessible via an existing vehicular track and has clearly defined ingress/egress. Adequate loading/unloading and parking spaces will be provided to meet operational needs. There will be a maximum of only two vehicular trips for delivery every day. No queuing nor waiting on public road is envisaged;
- (g) the applicant has made efforts to ensure clean and tidy operation of the applied use; and
- (h) the applied use is well-managed and has not caused any adverse traffic, drainage, environmental impacts or fire risks. It would not set an undesirable precedent for other similar applications.

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

The applicant is one of the “current land owners”. He 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 publishing newspaper notice and posting notice at the Site. Detailed information would be deposited at the meeting for Members’ inspection. As for the government land, the “owner’s consent/notification” requirements are not applicable.

4. Background

The Site had been cleared of vegetation with some structures for warehouse use erected along the northern boundary when the Ting Kok IDPA Plan No. IDPA/NE-TK/1 was gazetted on 7.9.1990 (**Plan A-3**). The remaining part of the Site was not covered by any structure. Over the years, the number and scale of temporary structures erected on the Site have been significantly increased. The Site is not subject to active enforcement action.

5. Previous Application

There is no previous application at the Site.

6. Similar Application

There is no similar application within the same “AGR” zone in the vicinity of the Site.

7. The Site and Its Surrounding Areas (Plans A-1, A-2 and photos on Plans A-3 and A-4)

7.1 The Site is :

- (a) currently used for the applied use without valid planning permission;
- (b) situated near the south-western fringe of Lai Pek Shan San Tsuen; and
- (c) accessible via a local vehicular track leading to Ting Kok Road.

7.2 The surrounding areas are predominantly rural in character with fallow agricultural land, village houses, tree groups and vacant land. To its immediate north and northeast are a densely vegetated woodland and the village proper of Lai Pek Shan San Tsuen respectively. Areas cleared of vegetation are found to its immediate south and further southeast within the same “AGR” zone, which are the subject of two previous planning enforcement actions (No. E/NE-TK/100 and E/NE-TK/160) against unauthorized development (UD) involving storage use and filling of land respectively (**Plan A-2**).

8. Planning Intention

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.

9. Comments from Relevant Government Departments

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

Land Administration

9.1.1 Comments of District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD):

- (a) no objection to the application;
- (b) the Site consists of seven private lots in D.D. 23 and 2 pieces of adjoining unallocated government land in Ting Kok. The private lots are held under the Block Government Lease demised for agricultural purpose. No structure shall be erected on the lot without prior approval from LandsD;
- (c) a recent inspection revealed that three unauthorised structures with a total GFA of about 1,218.95 m² were erected on the Site without prior approval from LandsD. The existing GFA is different from that under the current planning application. One of the unauthorised structures is also found straddled onto Lot 628 outside the Site. Warning letters were issued against these temporary structures. The lot owner is required to clear any unauthorised structures on the Site immediately. Otherwise, appropriate enforcement action would be taken in due course;
- (d) Short Term Waiver (STW) applications for temporary warehouse purpose with a total GFA of 819.68 m² on Lots 626, 627, 629, 630, 631 and 634 in D.D. 23 were received by his office on 25.10.2018. The GFA under the said STW applications was different from that under the current planning application. For the government land within the Site, no Short Term Tenancy (STT) application is received, and neither occupation nor works of any kind thereon is allowed. Should the Board approve the application, the lot owners are required to submit new applications for STW and STT to LandsD if they wish to erect the structures on the lots or occupy the government land for the applied use. However, there is no guarantee at this stage that the STW and STT applications would be approved. If the STW and STT applications are approved by LandsD acting in the capacity

as landlord at its sole discretion, such approval will be subject to such terms and conditions as may be imposed by LandsD where appropriate, including payment of waiver fee/rental and administrative fee;

- (e) the applicant will likely make use of the unallocated government land adjoining Lots 629 and 630 for access to the Site. As such, no trees thereon shall be interfered with unless prior approval is obtained from LandsD. The maintenance and management responsibility of the said government land and any other government land leading to the Site should be sorted out with the relevant government departments, prior to making use of them for ingress/egress purpose. Neither occupation nor works of any kind thereon is allowed without the prior approval from LandsD; and
- (f) there is no guarantee to the grant of right of way to the Site or approval of the emergency vehicular access (EVA) thereto.

Agriculture

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

- the Site is zoned “AGR” and is currently occupied by some structures. Agricultural infrastructure such as road access and water source is available in the vicinity. 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 point of view.

Landscape

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

- (a) some reservations on the application from the landscape planning perspective;
- (b) according to the applicant’s submission, the Site is fenced off, hard-paved with warehouse in operation. No significant landscape resource is observed within the Site;
- (c) the Site is situated in an area of rural landscape character comprising vacant land, vegetated areas, village houses, woodland and tree groups (**Plan A-3**). The applied use is incompatible with the surrounding landscape character. There are no similar applications for temporary warehouse which falls within the same “AGR” zone in the vicinity of the Site. There is concern that approval of the application may encourage similar developments

which would alter the landscape character and degrade the landscape quality of the “AGR” zone; and

- (d) should the Rural and New Town Planning Committee (the Committee) approve the application, it is considered not necessary to impose a landscape condition as the effect on enhancing the quality of public realm is not apparent.

Environment

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

- (a) no objection to the application;
- (b) no environmental complaint has been received in relation to the Site in the past 3 years; and
- (c) the applicant is advised to follow the relevant mitigation measures and requirements in the “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” to minimize any potential environmental nuisance.

Traffic

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

- (a) no in-principle objection to the application from traffic engineering viewpoint; and
- (b) the village access connecting Ting Kok Road it is not under Transport Department (TD)’s management. The land status, management and maintenance responsibilities of the village access should be clarified with the relevant lands and maintenance authorities accordingly in order to avoid potential land disputes.

9.1.6 Comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD):

- (a) no comments on the application; and
- (b) the local vehicular track is not maintained by HyD.

Drainage

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

- (a) no in-principle objection to the application from public drainage viewpoint;

- (b) if the application is approved, an approval condition on submission and implementation of drainage proposal for the Site is recommended to ensure that it will not cause adverse drainage impact to the adjacent areas; and
- (c) advisory comments in paragraph (e) of **Appendix III** should be observed.

Building Matter

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

- advisory comments in paragraph (f) of **Appendix III** should be observed.

Fire Safety

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

- (a) no in-principle objection to the application;
- (b) the applicant is advised to submit relevant layout plans incorporated with the proposed fire service installations (FSIs) for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy and the location of the proposed FSIs to be installed should be clearly marked; and
- (c) the applicant is reminded that if the proposed structure(s) are 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.

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

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Head (Geotechnical Engineering Office), Civil Engineering and Development Department (H(GEO), CEDD);
- (c) Project Manager/North, Civil Engineering and Development Department (PM/N, CEDD); and
- (d) District Officer(Tai Po), Home Affairs Department (DO(TP), HAD).

10. Public Comments Received During Statutory Publication Period (Appendix II)

On 8.2.2022, the application was published for public inspection. During the statutory public inspection period, two public comments were received from individuals objecting to the application mainly for concerns on fire risks, adverse traffic and

environmental impacts, and on the ground that approving the use will encourage further brownfield operations and affect surrounding environment.

11. Planning Considerations and Assessments

- 11.1 This application is for a temporary warehouse (storage of grain, cooking oil and grocery) use for a period of 3 years in an area zoned “AGR” on the OZP. The applied use is not in line with the planning intention of “AGR” 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. DAFC does not support the application from agricultural point of view as the Site possesses potential for agricultural rehabilitation. There is no strong planning justification in the current submission for a departure from the planning intention, even on a temporary basis.
- 11.2 The Site is located in an area predominantly rural in character comprising mainly fallow agricultural land, village houses, tree groups and vacant land (**Plan A-2**). A densely vegetated woodland is found to its immediate north and the village proper of Lai Pek Shan San Tsuen is located to its immediate northeast. The Site had been cleared of vegetation with some structures for warehouse use erected along the northern boundary when the Ting Kok IDPA Plan No. IDPA/NE-TK/1 was gazetted on 7.9.1990 (**Plan A-3**). However, the number and scale of temporary structures erected on the Site have been significantly increased over the years. CTP/UD&L, PlanD has some reservations on the application as the applied use is incompatible with the surrounding landscape character. There are no similar applications for temporary warehouse within the same “AGR” zone in the vicinity of the Site. Approval of the application may encourage other similar developments which would alter the landscape character and degrade the landscape quality of the “AGR” zone. It is noted that there are areas cleared of vegetation and formed to the immediate south and further southeast of the Site, which were subjects of previous planning enforcement actions (No. E/NE-TK/100 and E/NE-TK/160) against UD involving storage use and filling of land (**Plans A-2 and A-3**). Other relevant government departments consulted have no objection to/adverse comment on the application from technical aspects.
- 11.3 Regarding the public comments as mentioned in paragraph 10 above, government departments’ comments 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 comments mentioned in paragraph 10, Planning Department does not support the application for the following reasons:

- (a) the 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 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 current submission for a departure from the planning intention, even on a temporary basis; and
- (b) the applicant fails to demonstrate in the submission that the development would not result in adverse landscape impact on 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 3 years until 18.3.2025. The following approval conditions and advisory clauses are also suggested for Members’ reference:

Approval Conditions

- (a) 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 18.9.2022;
- (b) in relation to (b) above, the implementation of 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 18.12.2022;
- (c) the submission of a proposal for fire service installations (FSIs) and water supplies for fire-fighting 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 18.9.2022;
- (d) in relation to (c) above, the implementation of FSIs and water supplies for fire-fighting 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 18.12.2022; and
- (e) if any of the above planning conditions (a), (b), (c) or (d) 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 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 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) 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 24.1.2022
Appendix Ia	Planning Statement
Appendix II	Public comments
Appendix III	Recommended advisory clauses
Drawing A-1	Layout plan submitted by applicant
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photos
Plan A-4	Site photos

**PLANNING DEPARTMENT
MARCH 2022**

2022年 1月 24日

此文件在 收到。城市規劃委員會
只會在收到所有立於表格第 S16-III 號內之資料後才正式接納
申請的日期。

24 JAN 2022

This document is received by the Town Planning Board. It formally acknowledges 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-TK/745

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

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/NE-7K/745
	Date Received 收到日期	24 JAN 2022

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

1. Name of Applicant 申請人姓名/名稱

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

Chim Kwan Wo (詹君和)

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)

PlanArch Consultants Ltd.

3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable)
詳細地址/地點/丈量約份及地段號碼(如適用)

Lot Nos. 626(part), 627(part), 629(part), 630(part), 631(part), 632, and 634(part) in DD23 and adjoining Government Land, Ting Kok, Tai Po, New Territories

(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 1,695 sq.m 平方米 ☒ About 約☒ Gross floor area 總樓面面積 897 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)310 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	Approved Ting Kok Outline Zoning Plan OZP No. S/NE-TK/19
(e) Land use zone(s) involved 涉及的土地用途地帶	"Agriculture" zone
(f) Current use(s) 現時用途	Warehouse (Storage of Grain, Cooking Oil and Grocery) (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

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

The applicant 申請人 –

- ☐ is the sole "current land owner"^{#&} (please proceed to Part 6 and attach documentary proof of ownership).
是唯一的「現行土地擁有人」^{#&} (請繼續填寫第 6 部分，並夾附業權證明文件)。
- ☒ is one of the "current land owners"^{#&} (please attach documentary proof of ownership).
是其中一名「現行土地擁有人」^{#&} (請夾附業權證明文件)。
- ☐ is not a "current land owner"[#].
並不是「現行土地擁有人」[#]。
- ☐ The application site is entirely on Government land (please proceed to Part 6).
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

5. Statement on Owner's Consent/Notification

就土地擁有人的同意/通知土地擁有人的陳述

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

(b) The applicant 申請人 –

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

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

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

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

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

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

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

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

- ☐ sent request for consent to the "current land owner(s)" on _____ (DD/MM/YYYY)#&
於 _____ (日/月/年)向每一名「現行土地擁有人」#郵遞要求同意書&

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

- ☒ published notices in local newspapers on 04/01/2022 (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
03/01/2022 (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	Warehouse (Storage of Grain, Cooking Oil and Grocery) (Please illustrate the details of the proposal on a layout plan) (請用平面圖說明擬議詳情)
(b) Effective period of permission applied for 申請的許可有效期	<input checked="" type="checkbox"/> year(s) 年 3 <input type="checkbox"/> month(s) 個月
(c) Development Schedule 發展細節表	
Proposed uncovered land area 擬議露天土地面積	798sq.m <input checked="" type="checkbox"/> About 約
Proposed covered land area 擬議有上蓋土地面積	897sq.m <input checked="" type="checkbox"/> About 約
Proposed number of buildings/structures 擬議建築物/構築物數目	7
Proposed domestic floor area 擬議住用樓面面積	0sq.m <input checked="" type="checkbox"/> About 約
Proposed non-domestic floor area 擬議非住用樓面面積	897sq.m <input checked="" type="checkbox"/> About 約
Proposed gross floor area 擬議總樓面面積	897sq.m <input checked="" type="checkbox"/> About 約
Proposed height and use(s) of different floors of buildings/structures (if applicable) 建築物/構築物的擬議高度及不同樓層的擬議用途 (如適用) (Please use separate sheets if the space below is insufficient) (如以下空間不足，請另頁說明)	
5 structures for storage (single-storey, not more than 4.8m)	
1 structure for rest area (single-storey, not more than 4.8m)	
1 structure for ancillary office/ store (single-storey, not more than 4m)	
.....	
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	0
Light Goods Vehicle Parking Spaces 輕型貨車泊車位	0
Medium Goods Vehicle Parking Spaces 中型貨車泊車位	0
Heavy Goods Vehicle Parking Spaces 重型貨車泊車位	0
Others (Please Specify) 其他 (請列明)
Proposed number of loading/unloading spaces 上落客貨車位的擬議數目	
Taxi Spaces 的士車位	0
Coach Spaces 旅遊巴車位	0
Light Goods Vehicle Spaces 輕型貨車車位	1
Medium Goods Vehicle Spaces 中型貨車車位	0
Heavy Goods Vehicle Spaces 重型貨車車位	0
Others (Please Specify) 其他 (請列明)

Proposed operating hours 擬議營運時間 9:00 a.m. to 6:00 p.m. from Mondays to Saturdays. No operation will be held on Sundays and Public Holidays.			
(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)) Existing local vehicular track road off Ting Kok Road	
	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)	
(e) Impacts of Development Proposal 擬議發展計劃的影響 (If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures. 如需要的話，請另頁表示可盡量減少可能出現不良影響的措施，否則請提供理據/理由。)			
(i) Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動？	Yes 是	<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 type="checkbox"/> Filling of land 填土 Area of filling 填土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填土厚度 m 米 <input type="checkbox"/> About 約 <input type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of excavation 挖土深度 m 米 <input type="checkbox"/> About 約	
	No 否	<input checked="" type="checkbox"/>	
(iii) Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響？	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 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>Nil</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。

Please refer to the attached planning statement.

8. Declaration 聲明

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

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

Betty S.F. Ho

Director

Name in Block Letters
姓名（請以正楷填寫）

Position (if applicable)
職位（如適用）

Professional Qualification(s)
專業資格

☐ Member 會員 / ☒ Fellow of 資深會員

☒ HKIP 香港規劃師學會 / ☐ HKIA 香港建築師學會 /

☐ HKIS 香港測量師學會 / ☐ HKIE 香港工程師學會 /

☐ HKILA 香港園境師學會 / ☐ HKIUD 香港城市設計學會

☐ RPP 註冊專業規劃師

Others 其他

on behalf of
代表

PlanArch Consultants Ltd.



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

Date 日期

04/01/2022

(DD/MM/YYYY 日/月/年)

Remark 備註

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

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

Warning 警告

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

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

Statement on Personal Data 個人資料的聲明

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

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

(a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and
處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及

(b) facilitating communication between the applicant and the Secretary of the Board/Government departments.
方便申請人與委員會秘書及政府部門之間進行聯絡。

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

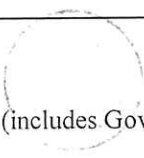
申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。

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

根據《個人資料(私隱)條例》(第 486 章)的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道 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 deposited 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存放於規劃署規劃資料查詢處以供一般參閱。)

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)
Location/address 位置/地址	Lot Nos. 626(part), 627(part), 629(part), 630(part), 631(part), 632, 634(part) in DD23 and adjoining government land, Ting Kok, Tai Po, New Territories 新界大埔汀角第23約地段第626 (部份)、627 (部份)、629 (部份)、630 (部份)、631 (部份)、632、634 (部份) 及毗鄰政府土地
Site area 地盤面積	<div style="display: flex; justify-content: space-between;"> <div>  <p>1,695 sq. m 平方米 <input checked="" type="checkbox"/> About 約</p> <p>(includes Government land of 包括政府土地 310 sq. m 平方米 <input checked="" type="checkbox"/> About 約)</p> </div> </div>
Plan 圖則	Approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/19 汀角分區計劃大綱圖編號S/NE-TK/19
Zoning 地帶	“Agriculture” zone 「農業」地帶
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> <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	Temporary Warehouse (Storage of Grain, Cooking Oil and Grocery) for a Period of 3 Years 年期為三年的臨時貨倉(糧油雜貨)

(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	897	<input checked="" 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	7	
(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	<input type="checkbox"/> (Not more than 不多於) m 米	
		<input type="checkbox"/> (Not more than 不多於) Storeys(s) 層	
	Non-domestic 非住用	<input checked="" type="checkbox"/> (Not more than 不多於) m 米	
		<input checked="" type="checkbox"/> (Not more than 不多於) Storeys(s) 層	
(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)		1 1 0 0 0 0
	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)		1 0 0 1 0 0

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件		
	Chinese 中文	English 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 type="checkbox"/>	<input checked="" type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Location Plan, Site Plan and Aerial Photo on 7.9.1990 _____		
Reports 報告書		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估（噪音、空氣及／或水的污染）	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他（請註明）	<input type="checkbox"/>	<input type="checkbox"/>

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

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

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

S16 Application for a Temporary Warehouse
(Storage of Grain, Cooking Oil and Grocery)

Lot nos. 626(part), 627(part), 629(part), 630(part), 631(part),
632 and 634(part) in DD23 and adjoining government land,
Ting Kok, Tai Po

PlanArch Consultants Ltd.

January 2022

Executive Summary

This planning statement is prepared in support of a S16 application to the Town Planning Board (TPB) for a temporary warehouse (storage of grain, cooking oil and grocery) at Lot Nos. 626 (part), 627 (part), 629 (part), 630 (part), 631 (part), 632 and 634 (part) in DD 23 and adjoining Government Land, Ting Kok, Tai Po for a period of 3 years.

The application site is zoned "Agricultural" ("AGR") zone on the approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/19 gazetted on 6.11.2015. The site has a total site area of about 1,695m² and is currently used as a warehouse for the storage of grain, cooking oil and grocery.

A warehouse has been operated in large part of the application site for the storage of grain, oil and grocery before the gazette of Ting Kok Interim Development Permission Area (IDPA) Plan No. IDPA/NE-TK/1 on 7.9.1990 by the applicant's father. Majority of the application site was formed and a few structures were built for the storage. Over the years, the operation has expanded and covered a larger area with bigger structures. Nonetheless, the nature of use for warehouse remained unchanged.

The proposed warehouse is considered compatible with the surrounding land uses and will not cause any adverse impact on the traffic, environment and drainage as well as nuisances to the surrounding area. The applicant has demonstrated good practices and clean operation. The application is for a temporary use which will not jeopardise the long term planning intention of the "AGR" zone. In view of the above, we sincerely hope that members of the Board will give favorable consideration to approve this application.

行政摘要

本計劃書旨在支持於大埔汀角第 23 約地段第 626 (部份)、627 (部份)、629 (部份)、630 (部份)、631 (部份)、632、634 (部份) 及毗鄰政府土地作臨時貨倉(糧油雜貨)用途的申請，擬議年期為三年。

申請地點主要位於已在2015年11月6日展示的汀角分區計劃大綱圖(圖則編號S/NE-TK/19)上的「農業」地帶上。申請地盤面積約為1,695平方米，現用作貨倉(糧油雜貨)用途。

此貨倉在1990年9月7日刊登中期發展審批地區圖則編號 IDPA/NE-TK/1 前，申請人的父親已於大部分申請地段內營運，用於儲存糧油和雜貨。在此之前，大部分地盤已被平整，並且已搭建一些構築物作貨倉用途。多年來，貨倉覆蓋區域及結構大小都有所擴展，以配合營運需要。儘管如此，貨倉用途的性質保持不變。

擬議的貨倉與周圍的土地用途相容，而且不會對交通、環境及排水系統造成任何不利影響，亦不會對周邊地區造成滋擾。申請人已證明良好作業和潔淨操作。此申請為臨時用途，不會影響「農業」地帶的長遠規劃向。依以上理據，敬希城市規劃委員會通過此申請。

1. INTRODUCTION

- 1.1. On behalf of Mr Chim Kwan Wo, PlanArch Consultants Ltd. submits a s.16 application to the Town Planning Board (TPB) for a temporary warehouse (storage of grain, cooking oil and grocery) (糧油雜貨) at Lot Nos. 626 (part), 627 (part), 629 (part), 630 (part), 631 (part), 632 and 634 (part) in DD 23 and adjoining Government Land, Ting Kok, Tai Po for a period of 3 years.
- 1.2. The application site falls within an area zoned “Agriculture” (“AGR”) on the approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/19 (Plan 1). According to the Notes of the OZP, the proposed temporary warehouse is neither a Column 1 nor a Column 2 uses of “AGR” zone. However, according to the covering Notes, the proposed development which is temporary use or development of any land or building not exceeding a period of 3 years requires permission from the TPB.
- 1.3. The applicant’s father operated a warehouse in a large part of the application site for the storage of grain, oil and grocery before the gazette of Ting Kok Interim Development Permission Area (IDPA) Plan No. IDPA/NE-TK/1 on 7.9.1990. Majority of the application site was formed and a few structures were built for the warehouse. However, over the years, the operation has expanded and covered a larger area with bigger structures.
- 1.4. The applicant has demonstrated good practices in clean operation all the time and receive no complaints from the neighbouring village.
- 1.5. The planning statement is intended to demonstrate the suitability of the application site for the continual operation of the temporary warehouse (storage of grain, cooking oil and grocery).

2. SITE CONTEXT

2.1. LOCATION

The application site is located near Lai Pik Shan San Tsuen in Ting Kok, Tai Po (**Plan 1**). It comprises Lot Nos. 626 (part), 627 (part), 629 (part), 630 (part), 631 (part), 632 and 634 (part) in DD 23 and adjoining Government Land (**Plan 2**).

2.2. LAND USE ZONING AND LAND STATUS

The site has a total site area of about 1,695m² including about 310m² of Government Land. It falls within the “AGR” zone on the approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/19 gazetted on 6.11.2015 (**Plan 1**).

The lots are devised as old schedule agricultural lots held under Block Government Lease, and there is a small portion of Government land.

2.3. EXISTING LAND USE AND HISTORY OF THE OPERATION

The application site is currently used as warehouse for the storage of grain, cooking oil and grocery by the applicant under the name of Yat Fung Food Logistics Co. Ltd. (**Photos 1 & 2**). Most of the application site was in fact formed and a number of structures were built for the same purpose before the gazette of Ting Kok Interim Development Permission Area (IDPA) Plan No. IDPA/NE-TK/1 gazetted on 7.9.1990. However, over the years, the operation has expanded and covered a larger area with bigger structures.

The application site is well paved and decently operated. Peripheral fencing are provided and well maintained along the site boundary to enhance amenity and mitigate any possible visual and noise impacts to sensitive receivers (**Photos 3 and 4**). Drainage facilities are found adjoining the application site (**Photo 5**).

History of the Operation- “Existing Use” Status

The father of the applicant, Mr. CHIM Moon Bor (alias CHIM Bor), started his own business for condiments and preserved food in the 1960s, and he joined Hong Kong Kowloon Provision & Grocery General Commercial Chamber (香港九龍糧食雜貨總商會). In view of the expansion of his business, in 1989, Mr. CHIM Moon Bor acquired Lots 627 and 631 in D.D.23 in Tai Po for warehouse/open storage purpose

for his goods (**Appendix 1**). Mr. CHIM Moon Bor paid for the land rent for the subject site between 1.7.1988 to 30.6.1993 (**Appendix 2**). Meanwhile, he also rented the adjoining lots for the operation of the warehouse and open storage.

The warehouse operated by Mr. CHIM Moon Bor covered the majority part of the application site for the storage of grain, cooking oil and grocery before the gazette of Ting Kok Interim Development Permission Area (IDPA) Plan No. IDPA/NE-TK/1 on 7.9.1990. The 7.9.1990 aerial photo shows the existence of the open storage and warehouse before the gazette of the IDPA plan (**Fig. 1**). The village representative also witnesses the Existing Use status as shown in his statement at **Appendix 3**.

Appearance of the external and internal conditions of the existing warehouse and open storage in the 1980s and now are upgraded. Please refer to the photos below:

Figure 2a: Appearance of the warehouse and open storage in the 1980s



Figure 2b: Appearance of the existing warehouse and open storage now



Figure 3a : Internal condition of the
warehouse in the 1980s



Figure 3b : Internal condition of the existing
warehouse now



Based on the records from Water Supplies Department, Mr. CHIM Moon Bor, father of the applicant was the registered user for water supply to Lots 627 & 631 in D.D. 23 Tai Po from 27 April 1990 to 10 December 1996, and the account was transferred to the applicant since 10 December 1996 (**Appendix 4**).

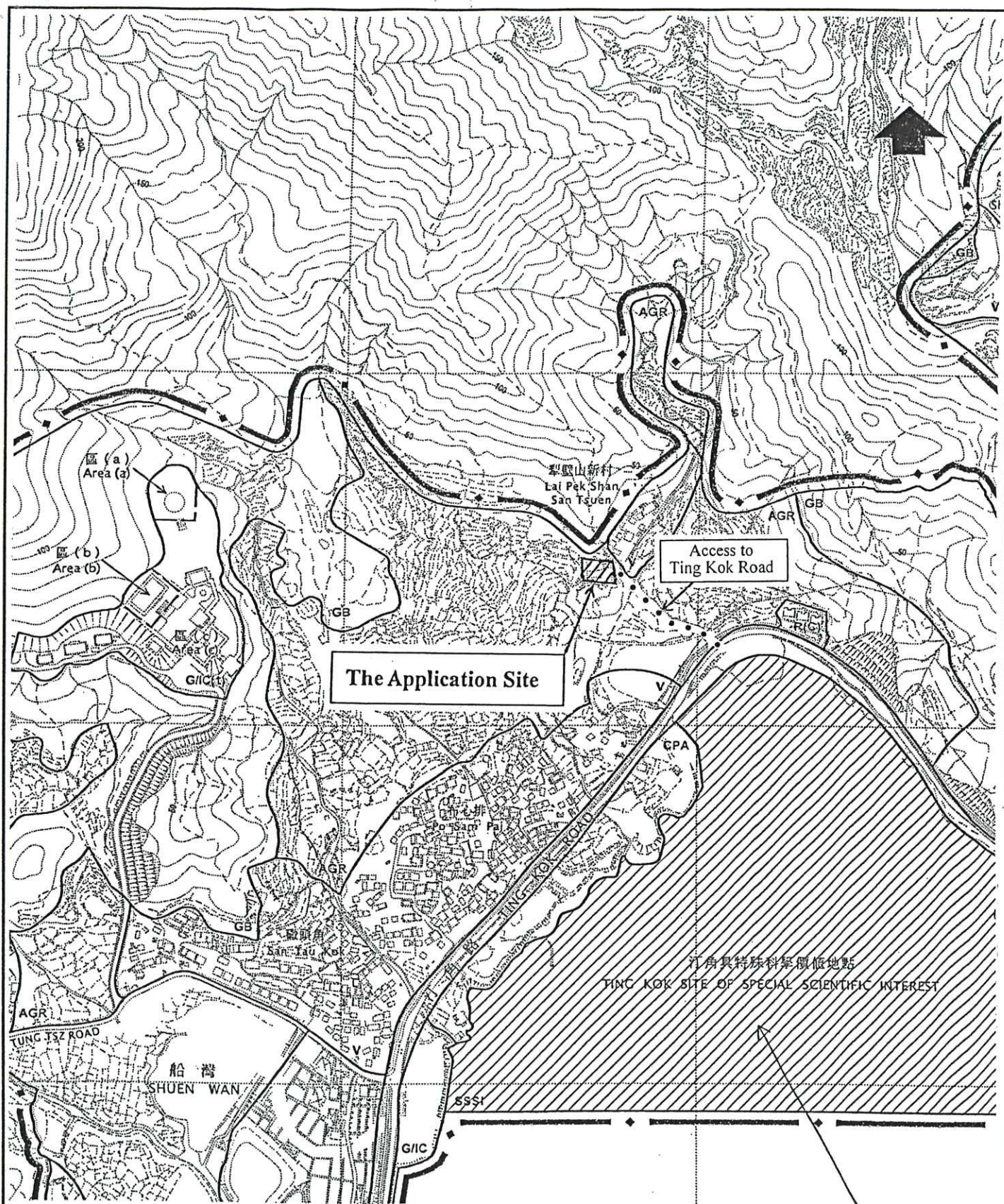
Besides, based on the records from CLP Power Hong Kong Limited, it certified that Mr. CHIM Moon Bor, was the registered user for electricity supply for his operation in Lot 627, DD23 Lai Pek Shan Sun Tsuen since 4 April 1990 before transferring the account to his son, Mr. CHIM Kwan Wo (the applicant), in March 2008, and later to Yat Fung Food Logistics Co. Ltd. in 2010 (**Appendix 5**). This demonstrates that the site has been using as the warehouse before the gazette of the IDPA Plan.

2.4. ADJACENT LAND USES

The application site is located near some the village houses of Lei Pik Shan San Tsuen. Some graves and urns are found in the vicinity (**Plan 1 and Photo 6**).

2.5. ACCESSIBILITY AND LOCAL TRAFFIC

The application site is accessible from a local track road off Ting Kok Road, Tai Po (**Photo 7**).



Plan Extracted from
Approved Ting Kok
Outline Zoning Plan
No.S/NE-TK/19
Gazetted on 6.11.2015

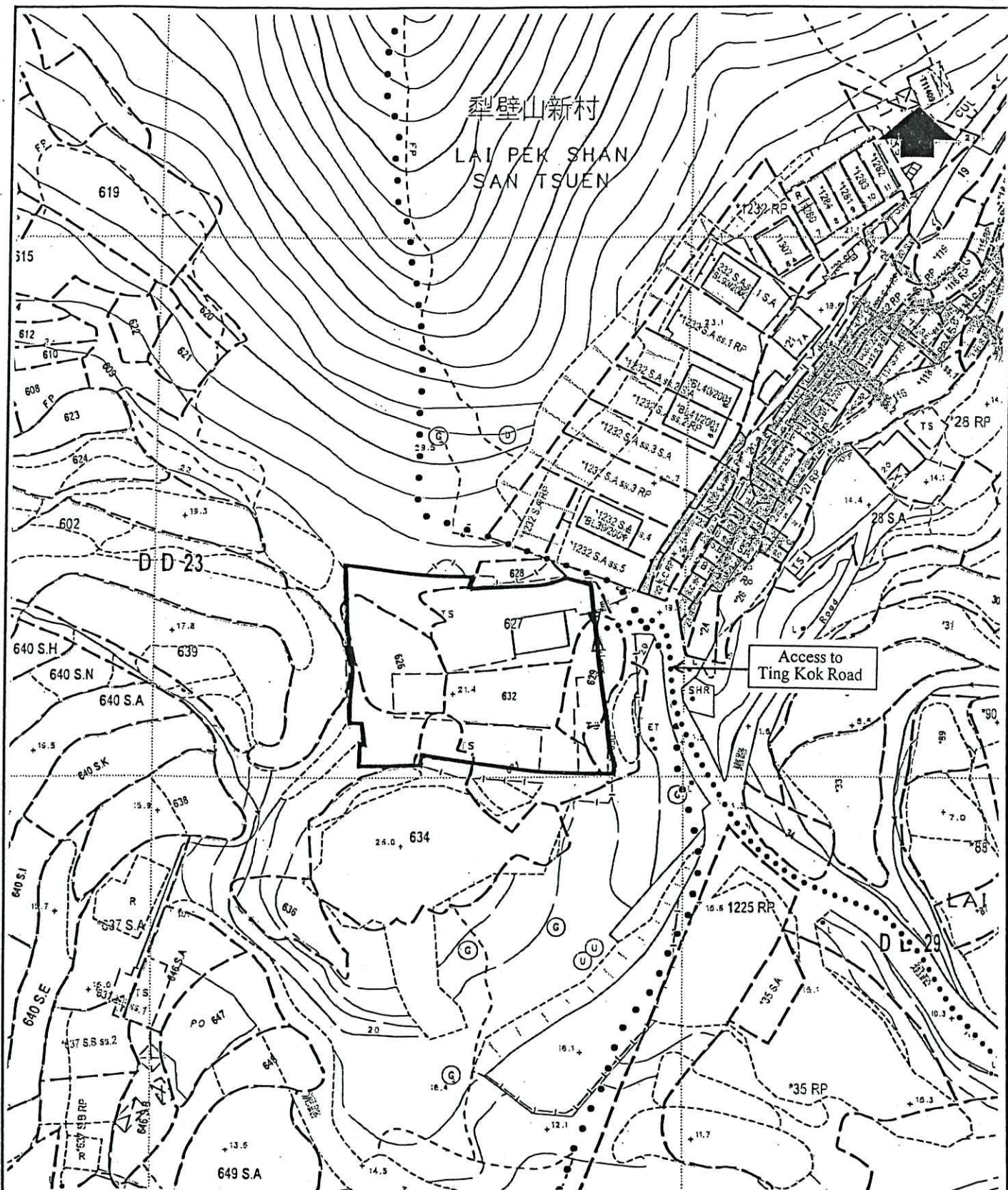
Location Plan
Temporary Warehouse
(Storage of Grain, Cooking Oil and Grocery)
at Various Lots in DD23
and Adjoining Government Land,
Ting Kok, Tai Po

0 200 400 METRES

Plan 1

PlanArch Consultants Ltd.

Revision: Date: 31.12.2021



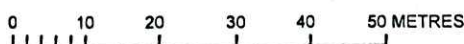
Legend

The Application Site

Base Plan Extracted from
Lot Index Plan No.
ags_S00000087014_0001
Prepared by Land Information
Centre on 24.12.2021

Site Plan

**Temporary Warehouse
(Storage of Grain, Cooking Oil and Grocery)
at Various Lots in DD23
and Adjoining Government Land,
Ting Kok, Tai Po**



Plan 2

PlanArch Consultants Ltd.

Revision: Date: 31.12.2021

Photos 1 & 2 – The site is currently used as a temporary warehouse (storage of grain, cooking oil and grocery). The application site is well paved and decently operated.



Photo 3 – Landscaping are found along the site boundary.



Photo 4 – Fencing are found along the site boundary.



Photo 5 – Drainage facilities are found adjoining the application site.



Photo 6 – Some village houses found in vicinity of the application site.



Photo 7 – The site is accessible from a local vehicular track off Ting Kok Road.



3. DEVELOPMENT PROPOSAL

3.1. TEMPORARY WAREHOUSE (STORAGE OF GRAIN, COOKING OIL AND GROCERY)

The application intends to apply for a temporary warehouse (storage of grain, cooking oil and grocery) for a period of 3 years. The layout of the proposed warehouse is shown in **Plan 3**. There is no packaging or other industrious operation. Please refer to the following table for details of the structures.

Structure No.	Building Height (About) (m)	No. of Storeys	Floor Area (About) (m ²)	Uses
1	Not more than 4.8m	1	70	Storage
2	Not more than 4.8m	1	113	Storage
3	Not more than 4.8m	1	225	Storage
4	Not more than 4m	1	208	Ancillary Office/ Store
5	Not more than 4.8m	1	24	Rest area
6	Not more than 4.8m	1	169	Storage
7	Not more than 4.8m	1	88	Storage
Total:			897	

3.2. OPERATION HOURS

The operation hours of the proposed warehouse is restricted to 9:00 a.m. to 6:00 p.m., from Mondays to Saturdays. No operation will be held on Sunday and Public Holidays.

3.3. ACCESS AND PARKING

An ingress/egress is at the eastern part of the application site as shown in **Plan 3**. The ingress/egress is connected to an existing local vehicular track road to Ting Kok Road, which further connects to the road network in Tai Po (**Plan 1**).

To support the operation of the warehouse, a total of 1 parking/loading/unloading bays for light goods vehicle (7m x 3.5m), and 1 parking space for private car (5m x 2.5m) are proposed to serve the operation need. The operation will have two trips of delivery per day, one in the morning and one in the afternoon.

Adequate manoeuvring space is allowed for smooth internal circulation of vehicles. No queueing or waiting on public road is envisaged and the traffic of the public road network will not be interrupted.

3.4. PROVISION OF PERIPHERAL FENCING AND LANDSCAPE

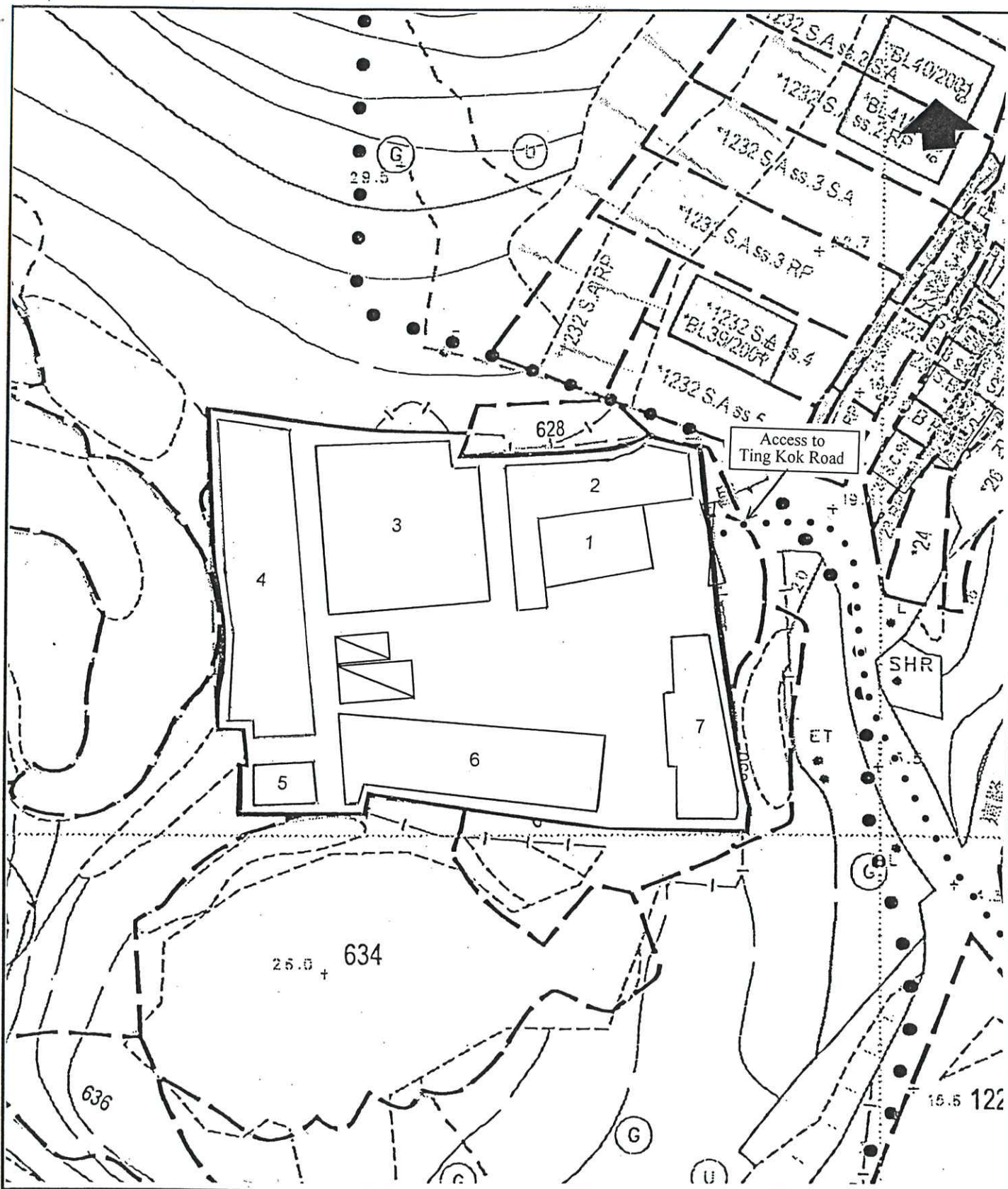
Fencing and landscaping are found along the periphery of the application site to enhance the amenity and mitigate any visual and environmental impact (**Photos 3 and 4**). Regular maintenance including watering, weeding, pest control, litter removal, fertilizing, etc. will be undertaken by the operator.

3.5. DRAINAGE FACILITIES

The application site is not prone to flooding and no flooding in the surrounding area is recorded. Drainage facilities are found adjoining the application site (**Photo 5**).

3.6. ENVIRONMENTAL MITIGATION MEASURES

The application has adopted environmental mitigation measures in compliance with *Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites* issued by Environmental Protection Department to minimise the adverse environmental impacts to the surrounding: operation hours is restricted to 9:00 a.m. to 6:00 p.m. from Monday to Saturday (except Sunday and Public Holidays). Existing landscaping and fencing along site boundary and paving of the site will be well-maintained (**Photos 3 and 4**).



Legend

- The Application Site
- 1 7 Structures / Canopies
- Light Goods Vehicles Park
- Private Car Park

Layout Plan

Temporary Warehouse
(Storage of Grain, Cooking Oil and Grocery)
at Various Lots in DD23
and Adjoining Government Land,
Ting Kok, Tai Po

0 10 20 30 METRES

Plan 3

PlanArch Consultants Ltd.

Revision:

Date: 3.1.2022

4. PLANNING JUSTIFICATIONS

4.1. THE PROPOSED DEVELOPMENT IS AN EXPANSION OF AN “EXISTING USE” OPEN STORAGE AND WAREHOUSE AND THIS S16 APPLICATION INTENDS TO RECTIFY THE STATUS AND SERVE THE NEEDS OF THE COMMUNITY

The open storage and warehouse for grain, cooking oil and grocery was started by the father of the applicant, Mr. CHIM Moon Bor (alias CHIM Bor), who established his own business for condiments and preserved food in the 1960s. As demonstrated in the evidence shown in the above sections, Mr Chim Moon Bor started his operation in a large part of the application site. He formed the site and operated his open storage and warehouse for grain, cooking oil and grocery (糧油雜貨) since 1986. He paid the land rent since 1988 and acquired more land, including Lots 627 and 631 in DD 23 in 1989. He registered CLP electricity account since April 1990 and was the registered user for water supply to Lots 627 & 631 in D.D. 23 between 27 April 1990 to 10 December 1996, until the account was transferred to the applicant on 10 December 1996. The overlay plan of the 7.9.1990 aerial photo and latest lot index plan indicates the existence of the open storage and warehouse before the gazette of the IDPA plan in 1990. This is also stated by the village representative also witnessed the Existing Use status.

Therefore, it is evident that the operation of the open storage and warehouse for grain, cooking oil and grocery has been a long-term family operation. It is an “Existing Use” which was in operation before the gazette of the IDPA Plan. Nevertheless, the operation has expanded to meet the needs of the increased population in Hong Kong and the operational needs of the family business. Therefore, this s.16 application intends to rectify the situation and allow the traditional business to survive to serve the community.

4.2. THE PROPOSED DEVELOPMENT IS COMPATIBLE WITH THE ADJOINING LAND USES IN TERMS OF SCALE AND NATURE (Plan 1).

Although the proposed development is located near Lai Pik Shan San Tsuen, the operation of the open storage and warehouse is very decent and tidy and will not incur noisy operation. It is well fenced off with buffer landscaping to enhance the amenity.

No negative impacts will be caused to the residential neighbourhoods by the proposed development. Therefore, the proposed development is compatible with

the adjoining land uses in terms of scale and nature.

4.3. PERIPHERAL PLANTING AND FENCING WALL ARE PROVIDED TO ENHANCE VISUAL QUALITY

Landscaping and boundary fencing are found along the site boundary and will be well maintained, to minimise any possible visual impact to the surroundings and enhance amenity in the surrounding areas.

The existing trees could effectively minimize the visual impact and provide greeneries in the area. Regular maintenance including watering, weeding, pest control, litter removal, fertilizing, etc. will also be carried out by the applicant to ensure that the trees at the periphery of the site are in good condition.

4.4. THE APPLICATION SITE IS NOT PRONE TO FLOODING AND NO ADVERSE DRAINAGE IMPACT TO SURROUNDING AREA

The application site is not prone to flooding and no flooding in the surrounding area is recorded. Drainage facilities are found adjoining the application site (Photo 7).

4.5. THE PROPOSED DEVELOPMENT FOR TEMPORARY WAREHOUSE FULLY COMPLIES WITH THE CODE OF PRACTICE ON HANDLING ENVIRONMENTAL ASPECTS OF TEMPORARY USES AND OPEN STORAGE SITES

The applicant has undertaken the environmental mitigation measures set out in Annex I of the *Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites* :-

ENVIRONMENTAL MEASURES IN THE CODE OF PRACTICE ¹		ENVIRONMENTAL MEASURES IMPLEMENTED AT THE APPLICATION SITE
AIR		
A(1)	The subject site particularly the access area at the site frontage and 5m strip of the area beyond the access gate should be properly paved or hard-surfaced to avoid any fugitive dust impacts due to vehicle movements.	The subject site is properly paved to avoid any fugitive dust impacts due to vehicle movements.
WASTE		
S(3)	Measures such as waste minimization, recycling or reuse of effluent should be implemented as far as practicable on the subject site.	Refuse is collected and disposed of in the refuse collection point nearby.
NOISE		
N(1)	Noise generating activities should be located away as far as possible from	There is no noisy activity. The goods are handled with care and will not cause noise

ENVIRONMENTAL MEASURES IN THE CODE OF PRACTICE ¹	ENVIRONMENTAL MEASURES IMPLEMENTED AT THE APPLICATION SITE
<p>any noise sensitive receivers. In addition, the following measures should be adopted as far as practicable in order to minimize the noise nuisance:-</p> <ul style="list-style-type: none"> i) the erection of 2.5m solid boundary wall; and ii) prohibition of any noisy operations during sensitive hours (i.e. 11pm to 7am). 	<p>nuisance to the neighbourhood. The application site is properly fenced and landscaping along the site boundary will be well-maintained.</p> <p>Furthermore, the operation hours is restricted to 9:00 a.m. to 6:00 p.m., from Mondays to Saturdays (except Sundays and Public Holidays).</p>

[1] Source: "Code of Practice on Handling Environmental Aspects of Temporary Uses & Open Storage Sites", Environmental Assessment and Noise Division, Environmental Protection Department, January 2005, Annex I.

Since the proposed temporary warehouse has fully adopted the environmental measures recommended in the *Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites* (August 2005) issued by the Environmental Protection Department, the proposed development will not cause any adverse environmental impact.

4.6. THE PROPOSED DEVELOPMENT FOR TEMPORARY WAREHOUSE WILL NOT CAUSE ADVERSE TRAFFIC IMPACT TO THE LOCAL ROAD NETWORK

The warehouse will utilise the existing vehicular road and it will have clearly defined ingress/egress. Adequate loading/unloading and parking spaces will be provided to meet operational needs. It will have a maximum of only 2 vehicular trips for delivery each day, one in the morning and one in the afternoon. With sufficient manoeuvring space and loading /unloading space within the site, no queuing or waiting on public road is envisaged. No queuing on public road and adverse traffic impact on the local traffic network are envisaged.

4.7. THE APPLICANT HAS BEEN DEMONSTRATING GOOD PRACTICES IN CLEAN OPERATION AND IT SHALL MERIT FAVOURABLE CONSIDERATION

The applicant has demonstrated great effort to ensure clean and tidy operation of the warehouse and shall merit favourable consideration of the planning application.

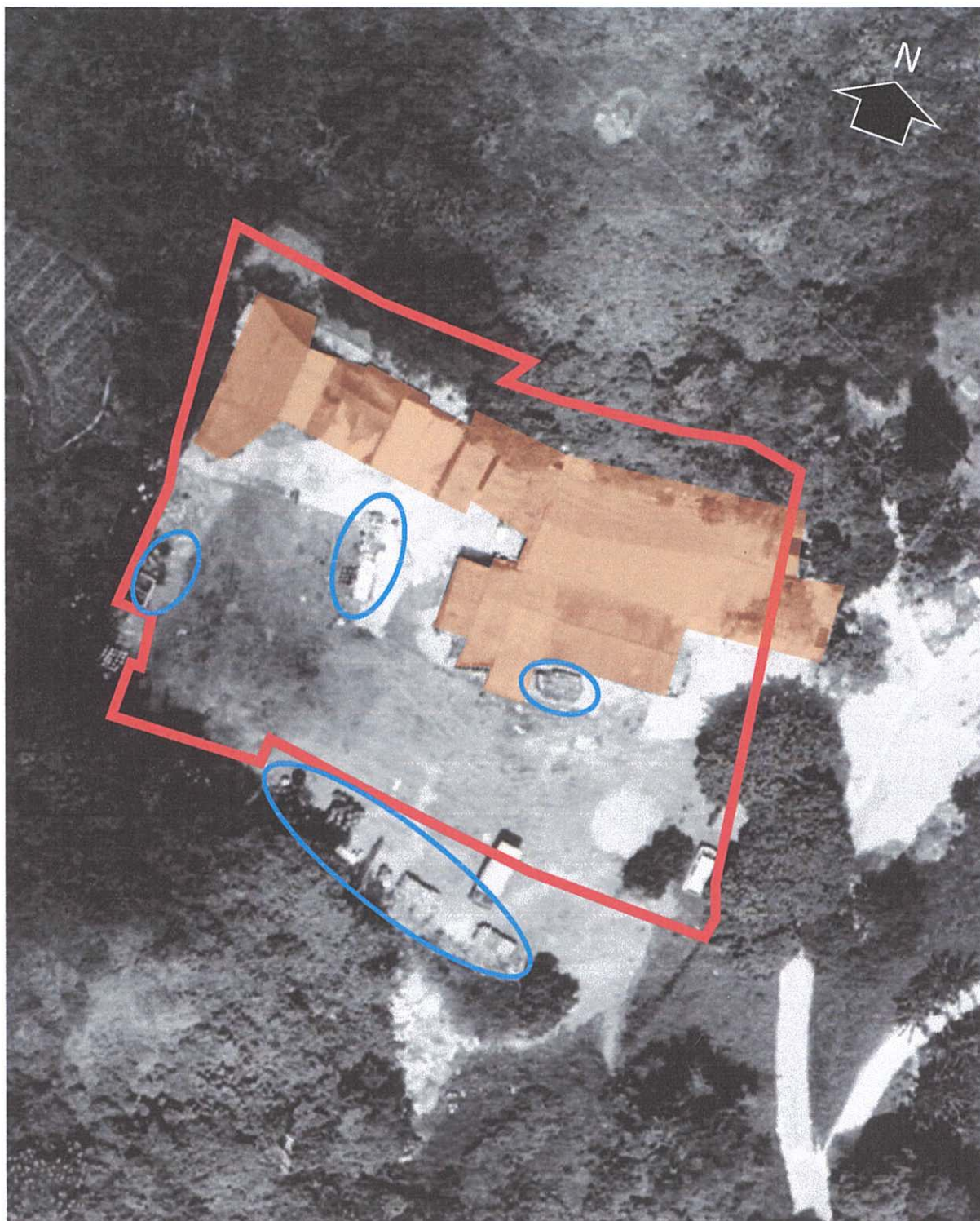
4.8. APPROVAL OF THIS APPLICATION WILL NOT SET AN UNDESIRABLE PRECEDENCE

The warehouse has been well-managed and has not caused any adverse traffic, drainage, fire safety, and other environmental impacts. It would not set an undesirable precedent case for similar applications. The good track records should

merit the approval of this application by the TPB.

5. CONCLUSION

The proposed warehouse is considered compatible with the surrounding land uses. A large part of the operation is an “Existing Use” before the gazette of IDPA Plan which should be tolerated. It has however been expanded to meet operational needs. The proposed development will not cause any adverse impact on the traffic, environment and drainage as well as nuisances to the surrounding area. The applicant has demonstrated good practices and clean operation. In light of the above, members of the Town Planning Board are respectively requested to give favourable consideration to the application.



For Indicative Purpose Only

Legend

- Application Site
- Structures existed before the gazette of IDPA Plan on 7.9.1990
- Open storage area

Plan Based on Aerial Photo
(Ref. "Tai Po 7.9.90 2000' A22555")

**"Existing Use"
Before IDPA Plan**

Temporary Warehouse (Storage of
Grain, Cooking Oil and Grocery)
at Various Lots in DD23 and
Adjoining Government Land,
Ting Kok, Tai Po

Fig. 1

PlanArch Consultants Ltd.

Date: 31.12.2021

土地註冊處 THE LAND REGISTRY

土地登記冊 LAND REGISTER

印製編號 PRINT CONTROL: ESN211230020745

印製於 PRINTED AT: INTERNET SEARCH (DOWNLOAD)

查冊日期及時間 SEARCH DATE AND TIME: 30/12/2021 17:58

查冊者姓名/名稱 NAME OF SEARCHER: PLANARCH CONSULTANTS LTD.

查冊種類 SEARCH TYPE: HISTORICAL AND CURRENT

本登記冊列明有關物業截至 30/12/2021 07:30 之資料

THE INFORMATION SET OUT BELOW CONTAINS PARTICULARS OF THE PROPERTY UP TO 07:30 ON 30/12/2021.

備存土地紀錄以供市民查閱旨在防止秘密及有欺詐成分的物業轉易，以及提供容易追溯和確定土地財產及不動產業權的方法。土地紀錄內載的資料不得用於與土地紀錄的宗旨無關之目的，使用所提供的資料須符合<<個人資料（私隱）條例>>的規定。

The land records are kept and made available to members of the public to prevent secret and fraudulent conveyances, and to provide means whereby the titles to real and immovable property may be easily traced and ascertained. The information contained in the land records shall not be used for purposes that are not related to the purposes of the land records. The use of information provided is subject to the provisions in the Personal Data (Privacy) Ordinance.

進行任何交易前，應先向土地註冊處查閱最新的土地紀錄。

BEFORE ANY DEALINGS, UP-TO-DATE LAND SEARCH SHOULD BE CONDUCTED WITH THE LAND REGISTRY.

物業資料

PROPERTY PARTICULARS

物業參考編號

PROPERTY REFERENCE NUMBER (PRN): C1781225

地段編號

LOT NO.: LOT NO. 627 IN D.D. 23

批約 HELD UNDER: GOVERNMENT LEASE

年期 LEASE TERM: 75 YEARS RENEWABLE FOR 24 YEARS

開始日期 COMMENCEMENT OF LEASE TERM: 01/07/1898

每年地稅 RENT PER ANNUM: \$0.12

所佔地段份數

SHARE OF THE LOT: -

ADDRESS: TAI PO
NEW TERRITORIES

地址: -

土地註冊處 THE LAND REGISTRY

土地登記冊 LAND REGISTER


印製編號 PRINT CONTROL: ESN211230020745

備註

REMARKS: THE FOLLOWING MEMORIALS COPIED FROM MEMORIAL INDEX: CONVEYANCE ON SALE M/N TP7068 AND SUCCESSION TO PROPERTY M/N TP121666

業主資料

OWNER PARTICULARS

業主姓名 NAME OF OWNER	身分 (如非唯一擁有人) CAPACITY (IF NOT SOLE OWNER)	註冊摘要編號 MEMORIAL NO.	文書日期 DATE OF INSTRUMENT	註冊日期 DATE OF REGISTRATION	代價 CONSIDERATION
		-	-	-	-
		備註 REMARKS: GOVERNMENT LEASE OF LOT NO.627 IN DD23			
		TP133686	02/09/1955	02/09/1955	\$100.00 (PT.)
		備註 REMARKS: CONVEYANCE ON SALE			
		TP205671	15/09/1981	25/09/1981	\$200,000.00
		備註 REMARKS: CONVEYANCE ON SALE			
	TENANT IN COMMON (1/3)	TP238014	27/11/1985	02/01/1986	\$240,000.00
	TENANT IN COMMON (1/3)				
	TENANT IN COMMON (1/3)				
CHIM MOON BOR		TP307344	12/09/1989	23/10/1989	\$600,000.00 (PT.)
-					

土地註冊處 THE LAND REGISTRY

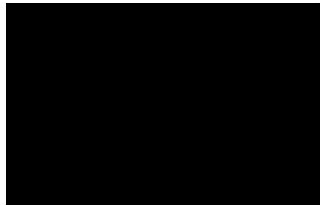
土地登記冊 LAND REGISTER

印製編號 PRINT CONTROL: ESN211230020745

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OWNER PARTICULARS

業主姓名 NAME OF OWNER	身分 (如非唯一擁有人) CAPACITY (IF NOT SOLE OWNER)	註冊摘要編號 MEMORIAL NO.	文書日期 DATE OF INSTRUMENT	註冊日期 DATE OF REGISTRATION	代價 CONSIDERATION
備註 REMARKS: ASSIGNMENT					



TP506474	04/09/1996	15/11/1996	\$700,000.00 (PT.)
05120300430012 ASSIGNMENT	18/11/2005	03/12/2005	\$800,000.00 (PT.)

物業涉及的轉轄
INCUMBRANCES

註冊摘要編號 MEMORIAL NO.	文書日期 DATE OF INSTRUMENT	註冊日期 DATE OF REGISTRATION	文書性質 NATURE	受惠各方 IN FAVOUR OF	代價 CONSIDERATION
------------------------	-------------------------------	---------------------------------	----------------	----------------------	---------------------

TP201155	12/11/1980	20/11/1980	AGREEMENT FOR SALE AND PURCHASE		\$240,000.00 (PT.)
TP203533	30/03/1981	13/04/1981	CANCELLATION AGREEMENT		-
TP304647	24/08/1989	02/09/1989	AGREEMENT FOR SALE AND PURCHASE		\$600,000.00 (PT.)

土地註冊處 THE LAND REGISTRY

土地登記冊 LAND REGISTER

印製編號 PRINT CONTROL: ESN211230020745

物業涉及的轉讓

INCUMBRANCES

註冊摘要編號 MEMORIAL NO.	文書日期 DATE OF INSTRUMENT	註冊日期 DATE OF REGISTRATION	文書性質 NATURE	受惠各方 IN FAVOUR OF	代價 CONSIDERATION
備註 REMARKS: SEE ASSIGNMENT MEM.NO. 307344					
TP305598	24/08/1989	21/09/1989	STATUTORY DECLARATION [REDACTED]	-	-
TP307345	12/09/1989	23/10/1989	MORTGAGE [REDACTED]	-	-
備註 REMARKS: FOR CONSIDERATION SEE MEMORIAL					
TP392941	25/04/1991	13/07/1992	RELEASE	-	-
TP504489	04/09/1996	30/10/1996	AGREEMENT FOR SALE AND PURCHASE [REDACTED]	-	\$700,000.00 (PT.)
備註 REMARKS: SEE ASSIGNMENT M/N 506474					
18110901320054	21/08/2018	09/11/2018	WARNING LETTER WITH PLAN	-	-
備註 REMARKS: FROM DISTRICT LANDS OFFICER, TAI PO					

土地註冊處 THE LAND REGISTRY

土地登記冊 LAND REGISTER

印製編號 PRINT CONTROL: ESN211230020745

等待註冊的契約

DEEDS PENDING REGISTRATION

註冊摘要編號 MEMORIAL NO.	文書日期 DATE OF INSTRUMENT	交付日期 DATE OF DELIVERY	文書性質 NATURE	受惠各方 IN FAVOUR OF	代價 CONSIDERATION
***** 無 NIL *****					

***** 登記冊末端 END OF REGISTER *****

土地註冊處 THE LAND REGISTRY

土地登記冊 LAND REGISTER

印製編號 PRINT CONTROL: ESN211230020749

印製於 PRINTED AT: INTERNET SEARCH (DOWNLOAD)

查冊日期及時間 SEARCH DATE AND TIME: 30/12/2021 17:58

查冊者姓名/名稱 NAME OF SEARCHER: PLANARCH CONSULTANTS LTD.

查冊種類 SEARCH TYPE: HISTORICAL AND CURRENT

本登記冊列明有關物業截至 30/12/2021 07:30 之資料

THE INFORMATION SET OUT BELOW CONTAINS PARTICULARS OF THE PROPERTY UP TO 07:30 ON 30/12/2021.

備存土地紀錄以供市民查閱旨在防止秘密及有欺詐成分的物業轉易，以及提供容易追溯和確定土地財產及不動產業權的方法。土地紀錄內載的資料不得用於與土地紀錄的宗旨無關之目的，使用所提供的資料須符合<<個人資料（私隱）條例>>的規定。

The land records are kept and made available to members of the public to prevent secret and fraudulent conveyances, and to provide means whereby the titles to real and immovable property may be easily traced and ascertained. The information contained in the land records shall not be used for purposes that are not related to the purposes of the land records. The use of information provided is subject to the provisions in the Personal Data (Privacy) Ordinance.

進行任何交易前，應先向土地註冊處查閱最新的土地紀錄。

BEFORE ANY DEALINGS, UP-TO-DATE LAND SEARCH SHOULD BE CONDUCTED WITH THE LAND REGISTRY.

物業資料

PROPERTY PARTICULARS

物業參考編號

PROPERTY REFERENCE NUMBER (PRN): C1781243

地段編號

LOT NO.: LOT NO. 631 IN D.D. 23

批約 HELD UNDER: GOVERNMENT LEASE

年期 LEASE TERM: 75 YEARS RENEWABLE FOR 24 YEARS

開始日期 COMMENCEMENT OF LEASE TERM: 01/07/1898

每年地稅 RENT PER ANNUM: \$0.09

所佔地段份數

SHARE OF THE LOT: -

ADDRESS: TAI PO

NEW TERRITORIES

地址: -

土地註冊處 THE LAND REGISTRY

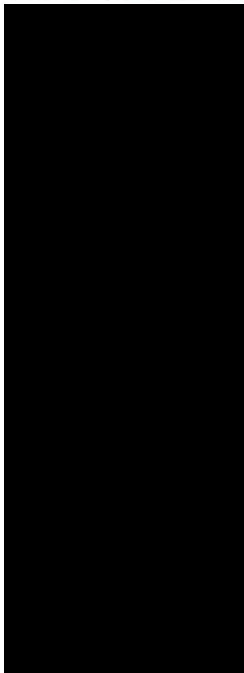
土地登記冊 LAND REGISTER

印製編號 PRINT CONTROL: ESN211230020749

備註

REMARKS: THE FOLLOWING MEMORIAL COPIED FROM MEMORIAL INDEX: SUCCESSION TO PROPERTY M/N TP121666

業主資料
OWNER PARTICULARS

業主姓名 NAME OF OWNER	身分 (如非唯一擁有人) CAPACITY (IF NOT SOLE OWNER)	註冊摘要編號 MEMORIAL NO.	文書日期 DATE OF INSTRUMENT	註冊日期 DATE OF REGISTRATION	代價 CONSIDERATION
		TP133686	02/09/1955	02/09/1955	\$100.00 (PT.)
		備註 REMARKS: CONVEYANCE ON SALE			
		TP193561	19/02/1979	21/02/1979	-
		備註 REMARKS: CONVEYANCE ON SALE			
		TP199970	21/08/1980	22/08/1980	-
		備註 REMARKS: CONVEYANCE ON SALE			
		TP205671	15/09/1981	25/09/1981	\$200,000.00
		備註 REMARKS: CONVEYANCE ON SALE			
	TENANT IN COMMON (1/3)	TP238014	27/11/1985	02/01/1986	\$240,000.00
	TENANT IN COMMON (1/3)				

土地註冊處 THE LAND REGISTRY

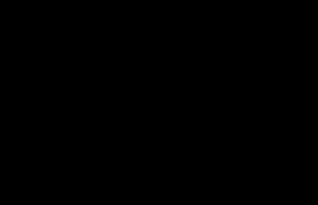
土地登記冊 LAND REGISTER

印製編號 PRINT CONTROL: ESN211230020749

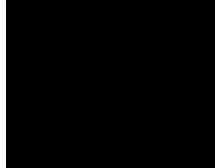
業主資料

OWNER PARTICULARS

業主姓名 NAME OF OWNER	身分 (如非唯一擁有人) CAPACITY (IF NOT SOLE OWNER)	註冊摘要編號 MEMORIAL NO.	文書日期 DATE OF INSTRUMENT	註冊日期 DATE OF REGISTRATION	代價 CONSIDERATION
	TENANT IN COMMON (1/3)				
CHIM MOON BOR		TP307344	12/09/1989	23/10/1989	\$600,000.00 (PT.)
備註 REMARKS: ASSIGNMENT					

		TP506474	04/09/1996	15/11/1996	\$700,000.00 (PT.)
		05120300430012 ASSIGNMENT	18/11/2005	03/12/2005	\$800,000.00 (PT.)

物業涉及的轉讓
INCUMBRANCES

註冊摘要編號 MEMORIAL NO.	文書日期 DATE OF INSTRUMENT	註冊日期 DATE OF REGISTRATION	文書性質 NATURE	受惠各方 IN FAVOUR OF	代價 CONSIDERATION
TP201155	12/11/1980	20/11/1980	AGREEMENT FOR SALE AND PURCHASE		\$240,000.00 (PT.)

土地註冊處 THE LAND REGISTRY

土地登記冊 LAND REGISTER

印製編號 PRINT CONTROL: ESN211230020749

物業涉及的轉轄

INCUMBRANCES

註冊摘要編號 MEMORIAL NO.	文書日期 DATE OF INSTRUMENT	註冊日期 DATE OF REGISTRATION	文書性質 NATURE	受惠各方 IN FAVOUR OF	代價 CONSIDERATION
TP203533	30/03/1981	13/04/1981	CANCELLATION AGREEMENT	-	-
TP304647	24/08/1989	02/09/1989	AGREEMENT FOR SALE AND PURCHASE	-	\$600,000.00 (PT.)
備註 REMARKS: SEE ASSIGNMENT MEM.NO. 307344					
TP305598	24/08/1989	21/09/1989	STATUTORY DECLARATION	-	-
TP307345	12/09/1989	23/10/1989	MORTGAGE	-	-
備註 REMARKS: FOR CONSIDERATION SEE MEMORIAL					
TP392941	25/04/1991	13/07/1992	RELEASE	-	-
TP504489	04/09/1996	30/10/1996	AGREEMENT FOR SALE AND PURCHASE	-	\$700,000.00 (PT.)
備註 REMARKS: SEE ASSIGNMENT M/N 506474					

土地註冊處 THE LAND REGISTRY

土地登記冊 LAND REGISTER

印製編號 PRINT CONTROL: ESN211230020749

物業涉及的轉讓

INCUMBRANCES

註冊摘要編號 MEMORIAL NO.	文書日期 DATE OF INSTRUMENT	註冊日期 DATE OF REGISTRATION	文書性質 NATURE	受惠各方 IN FAVOUR OF	代價 CONSIDERATION
16040702060032	05/04/2016	07/04/2016	CERTIFIED TRUE COPY OF ENFORCEMENT NOTICE ISSUED UNDER SECTION 23(1) OF THE TOWN PLANNING ORDINANCE *	-	-
備註 REMARKS: * AS POWER CONFERRED ON THE PLANNING AUTHORITY WITH PLANS					
17020101450089	25/01/2017	01/02/2017	CERTIFIED TRUE COPY OF NOTICE ISSUED UNDER SECTION 23(8A) OF THE TOWN PLANNING ORDINANCE*	-	-
備註 REMARKS: *AS POWER CONFERRED ON THE PLANNING AUTHORITY					
17021701060028	15/02/2017	17/02/2017	CERTIFIED TRUE COPY OF REINSTATEMENT NOTICE ISSUED UNDER SECTION 23(3) OF THE TOWN PLANNING ORDINANCE*	-	-
備註 REMARKS: *AS POWER CONFERRED ON THE PLANNING AUTHORITY WITH PLANS					
17100601560019	29/09/2017	06/10/2017	CERTIFIED TRUE COPY OF NOTICE ISSUED UNDER SECTION 23(8A) OF THE TOWN PLANNING ORDINANCE*	-	-

土地註冊處 THE LAND REGISTRY

土地登記冊 LAND REGISTER

印製編號 PRINT CONTROL: ESN211230020749

物業涉及的轉轄

INCUMBRANCES

註冊摘要編號 MEMORIAL NO.	文書日期 DATE OF INSTRUMENT	註冊日期 DATE OF REGISTRATION	文書性質 NATURE	受惠各方 IN FAVOUR OF	代價 CONSIDERATION
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備註 REMARKS: *AS POWER CONFERRED ON THE PLANNING AUTHORITY

18110901320098	21/08/2018	09/11/2018	WARNING LETTER WITH PLAN	-	-
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備註 REMARKS: FROM DISTRICT LANDS OFFICER, TAI PO

等待註冊的契約

DEEDS PENDING REGISTRATION

註冊摘要編號 MEMORIAL NO.	文書日期 DATE OF INSTRUMENT	交付日期 DATE OF DELIVERY	文書性質 NATURE	受惠各方 IN FAVOUR OF	代價 CONSIDERATION
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***** 無 NIL *****

***** 登記冊末端 END OF REGISTER *****

Receipt of Land Rent for the various concerned lots issued by Buildings and Lands Department to the applicant's father

BUILDINGS AND LANDS DEPARTMENT
屋宇地政署
CROWN RENT RECEIPT
地稅收據

Owner Chen Man Bor
Vol. 160 Page 121
Amount Due \$ 1050
地稅稅額

Please bring this receipt when you pay the Crown Rent for the next year.
~~每年由陽曆七月起請將此單帶同納稅~~

The Crown Rent paid by this receipt is for the period.

1.7. 17 to 30.6. 13

此收據所收者

為
年七月一日至
年六月卅日之地稅

PAID the sum imprinted below.
金額收訖

06/06/94 13932131 CSH 53.24



敬啟者，

本人羅宇，身份證號碼 [REDACTED] 為
 翠碧山新村村長見証 DD 23 Lot 628,
 630, 631, 632, 634, 626, 627 上址構
 築物早在1989年前已存在及在上址已
 開始經營食品倉庫及露天儲存。

簽名：羅宇

日期：2019年8月22日

這是 羅宇和 (✓) 2019年8月22日
 在本人面前簽署的聲明書內所提及的 A
 字號遺物

陳綺雯
 監督員

大埔民政事務處



水務署
Water Supplies Department
香港灣仔皇后大道東九龍大輪43號
43/F, Immigration Tower, 7 Gloucester Road, Wan Chai, Hong Kong

電子郵件
e-mail wsdinfo@wsd.gov.hk

電話
Telephone 2824 5000

傳真
Reference 7229732068 of 7229732547

傳真
Facsimile 2802 7333

詹君和

詹先生：

用水樓宇：DD 23 LOT 627 & 631
LAI BIK SHAN NEW VILLAGE
DD 23 LOT 627 & 631, LAM YUEN
TAI PO, NEW TERRITORIES

有關你2020年8月21日的電郵，要求提供上述樓宇的註冊用戶姓名、用戶編號及生效日期，現將有關資料臚列如下，以供參考。

舊用戶編號	直至 2005 年初 轉為新用戶編號	註冊用戶姓名	生效日期
24-10175819-201-4		CHIM MOON BOR	由 1990 年 4 月 27 日開始 截至 1996 年 12 月 10 日止(帳戶終結日)
24-10175819-301-2	62826030009	CHIM KWAN WO	由 1996 年 12 月 10 日開 始至今仍然生效

如對此信有任何查詢，請致電 2829 4619 與本署趙小姐聯絡。

水務監督



(梁寶珍代行)

2020年10月8日



Mr Chim Kwan Wo

Tai Po
New Territories

中環電力有限公司
CLP Power Hong Kong Limited

住宅客戶服務部
Residential Customer Experience

香港新界沙田安樂街六號中環沙田中心13/F
13/F Shatin Centre, 6 On Lai Street
Sha Tin, New Territories, Hong Kong

網址 Website www.clp.com.hk

本函檔號：CSDD/CC/ENQ/20200903/CW/VL-1

敬啟者：

編賬號碼：

註冊客戶：Yat Fung Food Logistic Company Limited

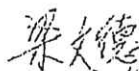
供電地址：DD 29 Lot 627, Lai Pek Shan Sun Tsuen, Shuen Wan Tai Po, New Territories.

謝謝 貴戶的查詢。

根據記錄，Mr. Chim Moon Bor 由1990年4月4日至2008年3月11日為上述供電地址之註冊客戶。隨後Mr. Chim Kwan Wo 由2008年3月12日接手登記賬戶，並於2010年3月18日終止賬戶，而Yat Fung Food Logistic Company Limited 由2010年3月19日開戶至今為上述供電地址之註冊客戶。

由於系統祇會保留電力賬戶過往七年的交易資料，賬項記錄會在七年保存期屆滿後自動刪除，因此抱歉我們未能提供賬戶於2013年9月前的賬項記錄。現提供上述地址由2013年9月至今用電記錄，以供參考，有關詳情請查閱附件。

若有任何查詢，請致電2678 2678與本公司客戶關係主任聯絡，我們樂意隨時效勞。


代印

林俊華
客戶關係經理

2020年9月3日



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



A/NE-TK/745 DD 23 Lai Pek Shan San Tsuen
20/02/2022 02:09

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

1 attachment



Lai Pek Shan San Tsuen - Google Maps.pdf

A/NE-TK/745

Lots 626 (Part), 627 (Part), 629 (Part), 630 (Part), 631 (Part), 632, 634 (Part) in D.D. 23 and Adjoining Government Land, Lai Pek Shan San Tsuen, Ting Kok, Tai Po

Site area : About 1,695sq.m Includes Government Land of about 310sq.m

Zoning : "Agriculture"

Applied use : Warehouse / 2 Vehicle Parking

Dear TPB Members,

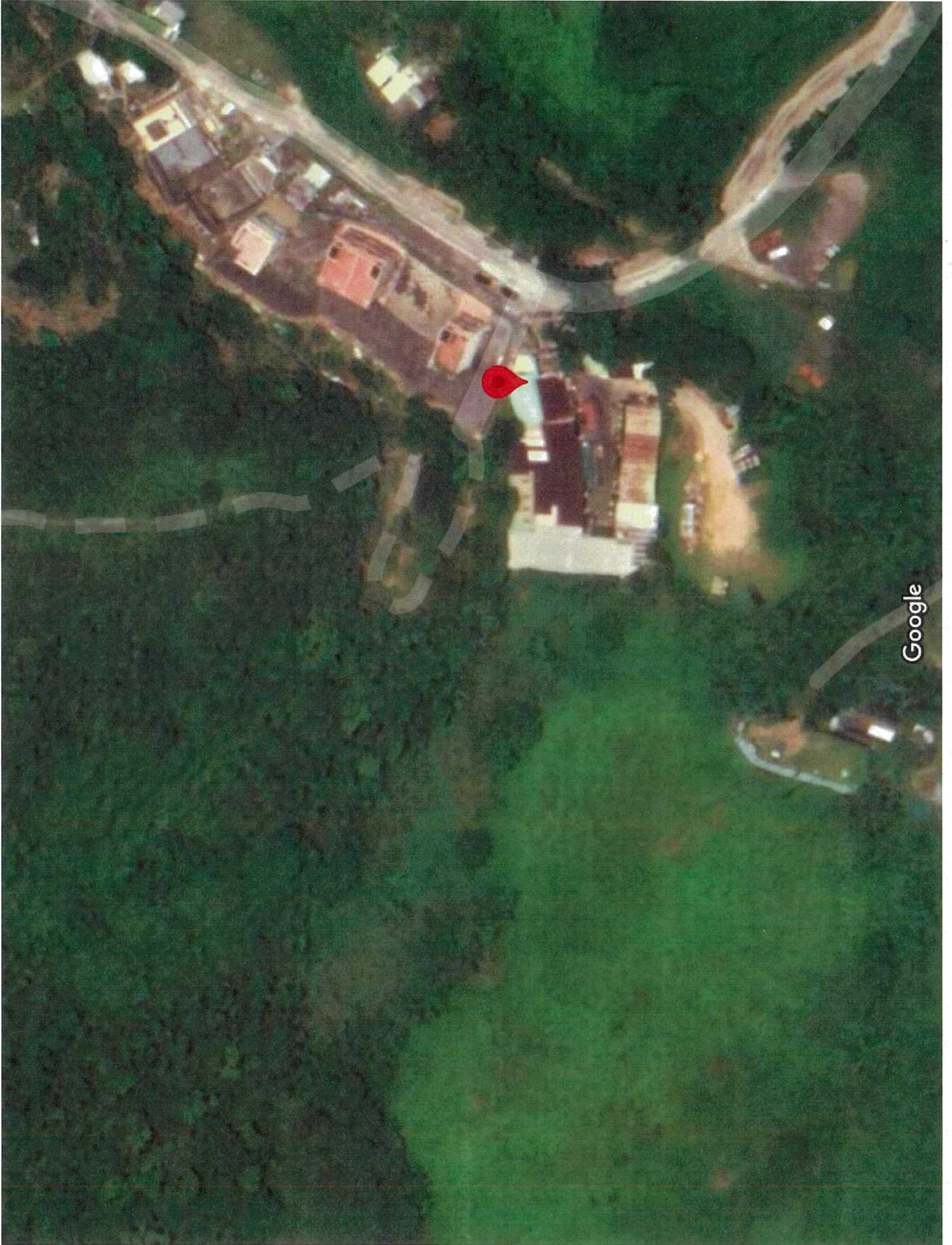
Strong objections. While this is an established operation, the issue is that it has expanded beyond the original footprint.

"Over the years the operation has expanded and covered a larger area with bigger structures"

Google Maps indicate that there has been further incursion into the AG zoning, probably to accommodate further expansion. The expansion is now encroaching onto government land.

Any approval should be confined to the original footprint. Approval would encourage further brownfield operations. Ting Kok is very popular as a district where people go to relax and explore nature. The lots near the main road have already been densely developed, the still green hinterland buffer to the country park should be protected from development.

Mary Mulvihill



5-2

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

參考編號

Reference Number:

220225-162707-88667

提交限期

Deadline for submission:

01/03/2022

提交日期及時間

Date and time of submission:

25/02/2022 16:27:07

有關的規劃申請編號

The application no. to which the comment relates:

A/NE-TK/745

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Lam Ka Hing

意見詳情

Details of the Comment :

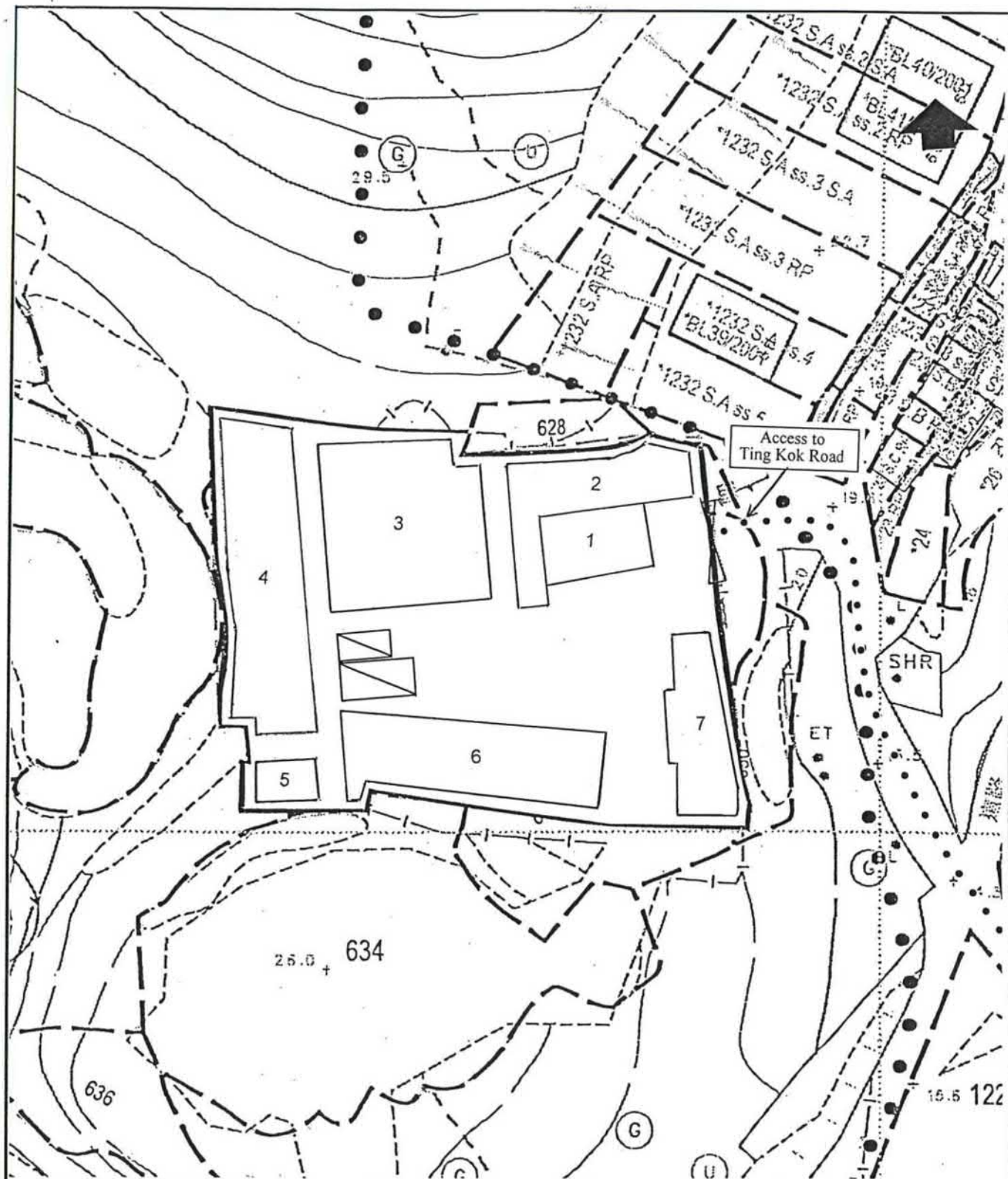
反對，鄉郊設倉庫及工場必會增加附近車輛出入流量，引至附近交通阻塞、環境污染，增加引發火警危機，影響村民安全及生活質數。

Recommended Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the proposed use at the Site;
- (b) to note the comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that:
 - (i) the Site consists of seven private lots in D.D. 23 and 2 pieces of adjoining unallocated government land in Ting Kok. The private lots are held under the Block Government Lease demised for agricultural purpose. No structure shall be erected on the lot without prior approval from LandsD;
 - (ii) a recent inspection revealed that three unauthorised structures with a total GFA of about 1,218.95 m² were erected on the Site without prior approval from LandsD. The existing GFA is different from that under the current planning application. One of the unauthorised structures is also found straddled onto Lot 628 outside the Site. Warning letters were issued against these temporary structures. The lot owner is required to clear any unauthorised structures on the Site immediately. Otherwise, appropriate enforcement action would be taken in due course;
 - (iii) Short Term Waiver (STW) applications for temporary warehouse purpose with a total GFA of 819.68 m² on Lots 626, 627, 629, 630, 631 and 634 in D.D. 23 were received by his office on 25.10.2018. The GFA under the said STW applications was different from that under the current planning application. For the government land within the Site, no Short Term Tenancy (STT) application is received, and neither occupation nor works of any kind thereon is allowed. Should the Board approve the application, the lot owners are required to submit new applications for STW and STT to LandsD if they wish to erect the structures on the lots or occupy the government land for the applied use. However, there is no guarantee at this stage that the STW and STT applications would be approved. If the STW and STT applications are approved by LandsD acting in the capacity as landlord at its sole discretion, such approval will be subject to such terms and conditions as may be imposed by LandsD where appropriate, including payment of waiver fee/rental and administrative fee;
 - (iv) the applicant will likely make use of the unallocated government land adjoining Lots 629 and 630 for access to the Site. As such, no trees thereon shall be interfered with unless prior approval is obtained from LandsD. The maintenance and management responsibility of the said government land and any other government land leading to the Site should be sorted out with the relevant government departments, prior to making use of them for ingress/egress purpose. Neither occupation nor works of any kind thereon is allowed without the prior approval from LandsD; and
 - (v) there is no guarantee to the grant of right of way to the Site or approval of the emergency vehicular access (EVA) thereto;

- (c) to note the comments of the Director of Environmental Protection (DEP) that the applicant should follow the relevant mitigation measures and requirements in the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimize any potential environmental nuisance;
- (d) to note the comments of the Commissioner of Transport (C for T) that the village access connecting Ting Kok Road is not under Transport Department’s management. The land status, management and maintenance responsibilities of the village access should be clarified with the relevant lands and maintenance authorities accordingly in order to avoid potential land disputes;
- (e) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) there is no existing DSD maintained public drain available for connection in the area. The applicant should have his own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from the 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 are to be erected. Any existing flow path affected should be re-provided. The proposed use should neither obstruct overland flow nor adversely affect the existing natural streams, village drains, ditches and the adjacent areas. The applicant is required to maintain the drainage systems properly and rectify the systems if they are found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems; and
 - (ii) for works to be undertaken outside the lot boundary, prior consent and agreement from LandsD and/or relevant private lot owners should be sought;
- (f) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
 - (i) if the existing structures are erected on leased land without approval of the Buildings Department (BD) (not being a New Territories Exempted House), they are unauthorized under the Buildings Ordinance (BO) and should not be designated for any approved use under the planning application;
 - (ii) before any new buildings works are to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained unless they are exempted building works or commenced under the simplified requirement under the Minor Works Control System, otherwise they are Unauthorized Building Works (UBW). An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - (iii) for UBW erected on leased land, enforcement action may be taken by the BA to effect their removal in accordance with BD’s enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing buildings works or UBW on the Site under the BO;

- (iv) if the proposed use under application is subject to the issue of a license, please be reminded that any existing structures on the Site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority;
 - (v) any temporary shelters or converted containers for storage or other uses are considered as temporary buildings are subject to the control of Part VII of the Building (Planning) Regulations (B(P)R);
 - (vi) the Site shall be provided with means of obtaining access thereto from a street under the Regulation 5 of the B(P)R and EVA shall be provided under the Regulation 41D of the B(P)R;
 - (vii) if the Site is not abutting on a specified street having a width not less than 4.5m, the development intensity shall be determined by the BA under Regulation 19(3) of the B(P)R at building plan submission stage;
 - (viii) in general there is no requirement under the BO in respect of provision of car parking spaces for a proposed development. However, the applicant's attention is drawn to the provision of accessible car parking spaces designated for the use of persons with a disability as per the requirements under the B(P)R 72 and Division 3 of Design Manual: Barrier Free Access 2008;
 - (ix) formal submission under the BO is required for any proposed new works, including any temporary structures and site formation works like filling of pond and land. Detailed comments under BO will be provided at the building plan submission stage; and
- (g) to note the comments of the Director of Fire Services (D of FS) that the applicant should submit relevant layout plans incorporated with the proposed fire service installations (FSIs) for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy and the location of the proposed FSIs to be installed should be clearly marked. The applicant is reminded that if the proposed structure(s) are 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.



Legend

- The Application Site
- 1 - 7 Structures / Canopies
- Light Goods Vehicles Park
- Private Car Park

Layout Plan

Temporary Warehouse
(Storage of Grain, Cooking Oil and Grocery)
at Various Lots in DD23
and Adjoining Government Land,
Ting Kok, Tai Po

0 10 20 30 METRES

Plan 3

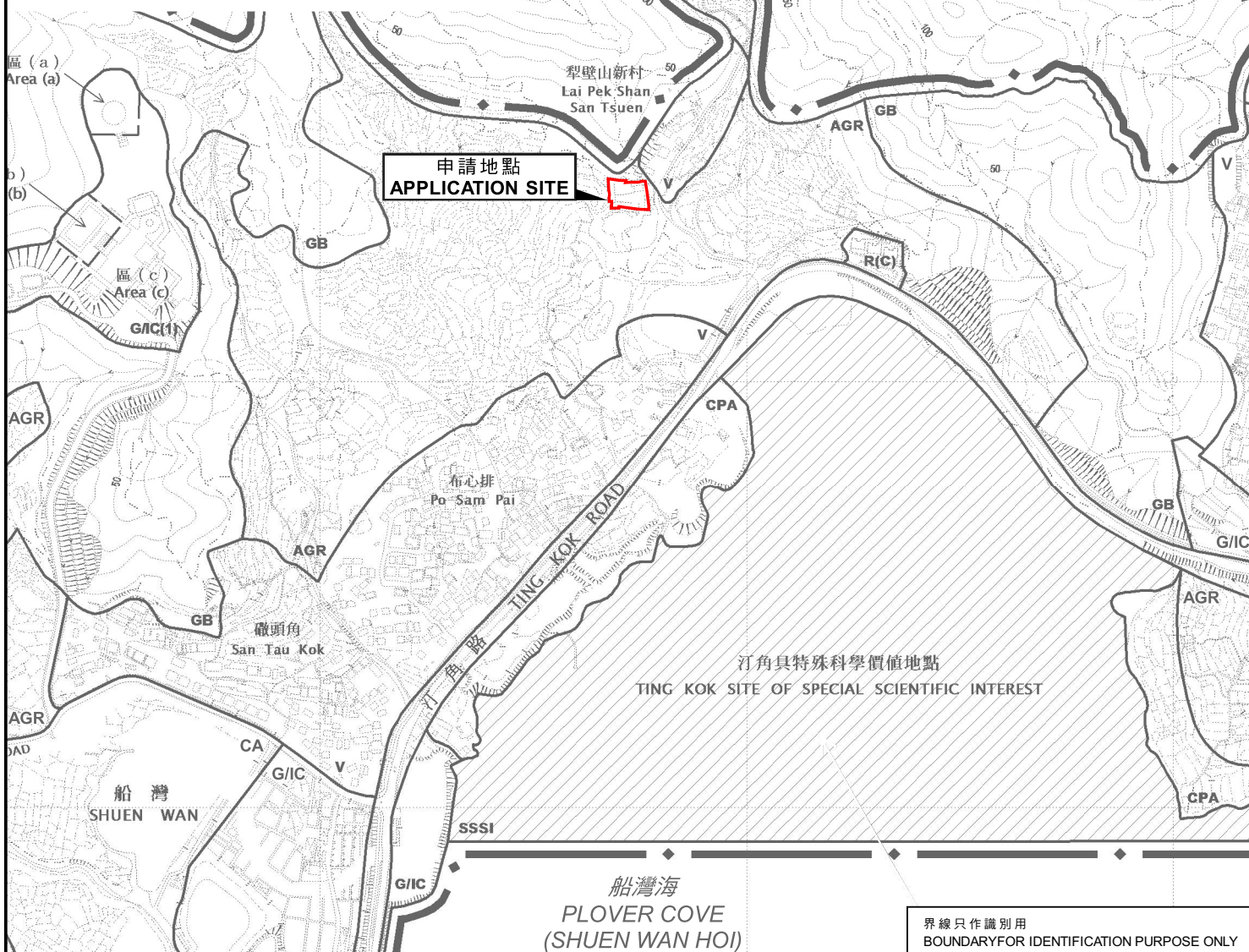
PlanArch Consultants Ltd.

Revision: Date: 3.1.2022



要覽圖 KEY PLAN

SCALE 1 : 50 000 比例尺



位置圖 LOCATION PLAN

臨時貨倉（存放糧油雜貨）（為期3年）
 新界大埔汀角丈量約份第23約地段第626號（部分）、
 第627號（部分）、第629號（部分）、第630號（部分）、
 第631號（部分）、第632號及第634號（部分）和毗連政府土地
 TEMPORARY WAREHOUSE (STORAGE OF GRAIN, COOKING OIL
 AND GROCERY) FOR A PERIOD OF 3 YEARS
 LOTS 626 (PART), 627 (PART), 629 (PART), 630 (PART), 631 (PART),
 632, 634 (PART) IN D.D. 23 AND ADJOINING GOVERNMENT LAND,
 TING KOK, TAI PO, NEW TERRITORIES
 SCALE 1 : 7 500 比例尺

米 100 0 200 300 米
 METRES

界線只作識別用
 BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

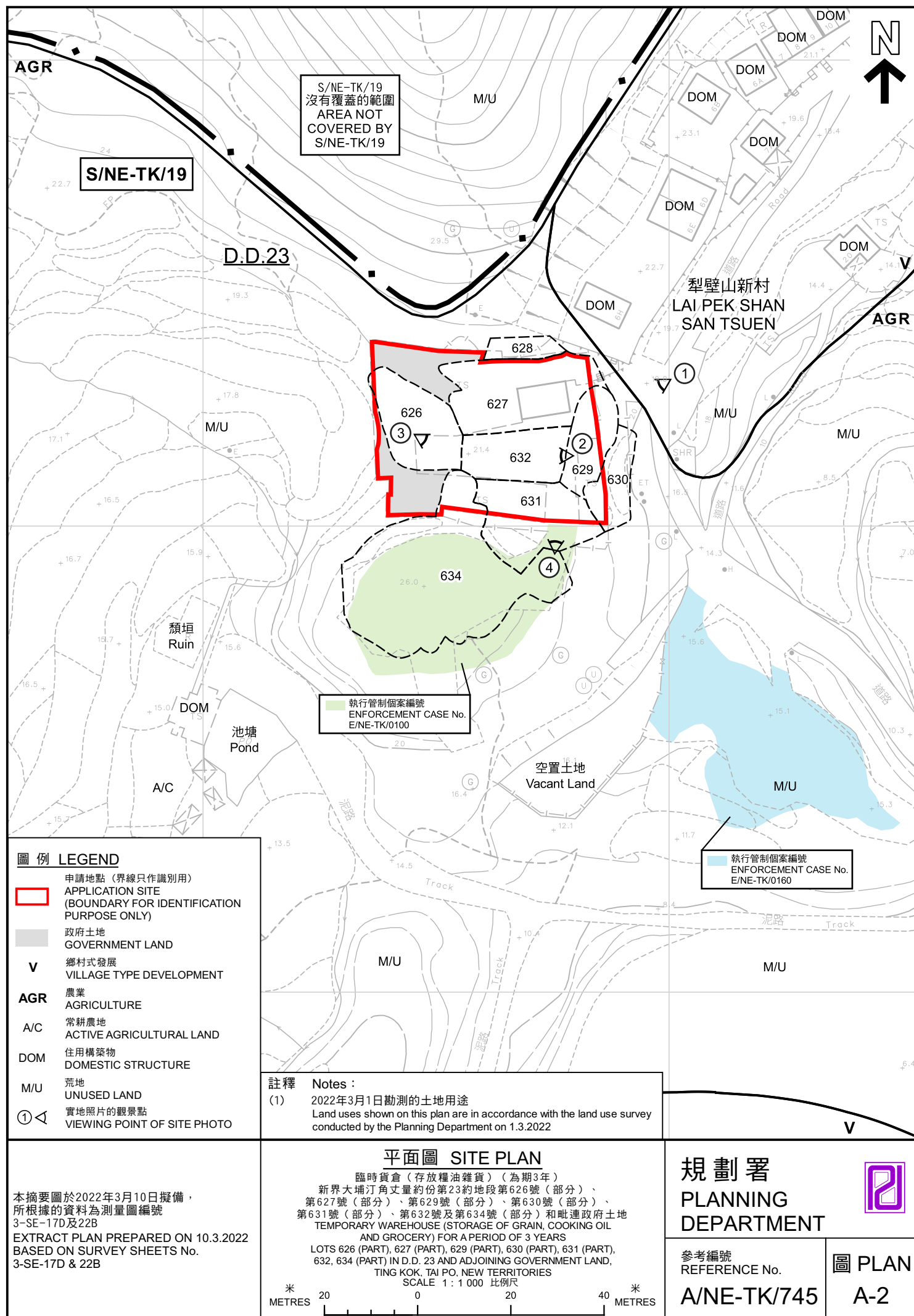
規劃署
 PLANNING
 DEPARTMENT



參考編號
 REFERENCE No.
 A/NE-TK/745

圖 PLAN
 A-1

本摘要圖於2022年3月4日擬備，
 所根據的資料為於2015年10月27日
 核准的分區計劃大綱圖編號S/NE-TK/19
 EXTRACT PLAN PREPARED ON 4.3.2022
 BASED ON OUTLINE ZONING PLAN
 No. S/NE-TK/19 APPROVED ON 27.10.2015



於1990年9月7日拍得的航攝照片
編號A22555
AERIAL PHOTO NO. A22555
TAKEN ON 7.9.1990



於2021年1月15日拍得的航攝照片
編號E126633C
AERIAL PHOTO NO. E126633C
TAKEN ON 15.1.2021



圖例 LEGEND



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

航攝照片 AERIAL PHOTO

臨時貨倉（存放糧油雜貨）（為期3年）
新界大埔汀角丈量約份第23約地段第626號（部分）、
第627號（部分）、第629號（部分）、第630號（部分）、
第631號（部分）、第632號及第634號（部分）和毗連政府土地
TEMPORARY WAREHOUSE (STORAGE OF GRAIN, COOKING OIL
AND GROCERY) FOR A PERIOD OF 3 YEARS
LOTS 626 (PART), 627 (PART), 629 (PART), 630 (PART), 631 (PART),
632, 634 (PART) IN D.D. 23 AND ADJOINING GOVERNMENT LAND,
TING KOK, TAI PO, NEW TERRITORIES

本摘要圖於2022年3月2日擬備
EXTRACT PLAN PREPARED ON 2.3.2022

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.

A/NE-TK/745

圖 PLAN

A-3

申請地點
APPLICATION SITE



2

申請地點
APPLICATION SITE



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

實地照片 SITE PHOTOS

臨時貨倉（存放糧油雜貨）（為期3年）
新界大埔汀角丈量約份第23約地段第626號（部分）、
第627號（部分）、第629號（部分）、第630號（部分）、
第631號（部分）、第632號及第634號（部分）和毗連政府土地
TEMPORARY WAREHOUSE (STORAGE OF GRAIN, COOKING OIL
AND GROCERY) FOR A PERIOD OF 3 YEARS
LOTS 626 (PART), 627 (PART), 629 (PART), 630 (PART), 631 (PART),
632, 634 (PART) IN D.D. 23 AND ADJOINING GOVERNMENT LAND,
TING KOK, TAI PO, NEW TERRITORIES

本摘要圖於2022年3月4日擬備，所根據
的資料為攝於2022年3月1日
的實地照片
PLAN PREPARED ON 4.3.2022 BASED ON
SITE PHOTOS TAKEN ON 1.3.2022

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.

A/NE-TK/745

圖PLAN

A-4a

3



4



申請地點界線只作識別用

APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTOS

本摘要圖於2022年3月4日擬備，所根據的資料為攝於2022年3月1日的實地照片

PLAN PREPARED ON 4.3.2022 BASED ON SITE PHOTOS TAKEN ON 1.3.2022

臨時貨倉（存放糧油雜貨）（為期3年）
新界大埔汀角丈量約份第23約地段第626號（部分）、
第627號（部分）、第629號（部分）、第630號（部分）、
第631號（部分）、第632號及第634號（部分）和毗連政府土地
TEMPORARY WAREHOUSE (STORAGE OF GRAIN, COOKING OIL
AND GROCERY) FOR A PERIOD OF 3 YEARS
LOTS 626 (PART), 627 (PART), 629 (PART), 630 (PART), 631 (PART),
632, 634 (PART) IN D.D. 23 AND ADJOINING GOVERNMENT LAND,
TING KOK, TAI PO, NEW TERRITORIES

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.

A/NE-TK/745

圖PLAN

A-4b

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/745 Temporary Warehouse (Storage of Grain, Cooking Oil and Grocery)
for a Period of 3 Years in “Agriculture” Zone, Lots 626 (Part), 627
(Part), 629 (Part), 630 (Part), 631 (Part), 632, 634 (Part) in D.D. 23 and
Adjoining Government Land, Ting Kok, Tai Po
(RNTPC Paper No. A/NE-TK/745)

Presentation and Question Sessions

27. With the aid of some plans, Mr Tony Y.C. Wu, 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.

28. Members had no question on the application.

Deliberation Session

29. 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. 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 the planning intention, even on a temporary basis; and
- (b) the applicant fails to demonstrate in the submission that the development would not result in adverse landscape impact on 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

電 話 Tel: 2231 4810

來函檔號 Your Reference:

By Post & Fax (2620 6022)

覆函請註明本會檔號

In reply please quote this ref.: TPB/A/NE-TK/745

1 April 2022

PlanArch Consultants Ltd.
Suite 1710, Concordia Plaza
1 Science Museum Road
Tsim Sha Tsui East, Kowloon
(Attn.: Betty S.F. Ho)

Dear Sir/Madam,

**Temporary Warehouse (Storage of Grain, Cooking Oil
and Grocery) for a Period of 3 Years in "Agriculture" Zone,
Lots 626 (Part), 627 (Part), 629 (Part), 630 (Part), 631 (Part), 632,
634 (Part) in D.D. 23 and Adjoining Government Land, Ting Kok, Tai Po**

I refer to my letter to you dated 7.2.2022.

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. 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 the planning intention, even on a temporary basis; and
- (b) you fail to demonstrate in the submission that the development would not result in adverse landscape impact on the area.

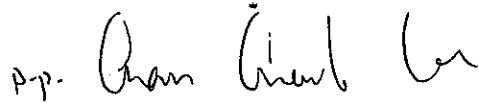
A copy of the TPB Paper in respect of the application is available at TPB website at this link (https://www.info.gov.hk/tpb/en/meetings/RNTPC/Agenda/691_rnt_agenda.html). The relevant extract of minutes of the TPB meeting held on 18.3.2022 is enclosed herewith for your reference.

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 22.4.2022). 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. Tony Wu of Sha Tin, Tai Po & North District Planning Office at 2158 6372.

Yours faithfully,

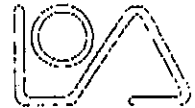
p.p. 

(Leticia LEUNG)

for Secretary, Town Planning Board

Suite 1710, Concordia Plaza,
1 Science Museum Road,
Tsim Sha Tsui East,
Kowloon, Hong Kong.
Tel : (852) 2802-7203
Fax: (852) 2620-6022
E-mail: pac@planarch.com.hk

PlanArch Consultants Ltd.
建港規劃顧問有限公司



By Fax (2877 0245) and Post

TPB Ref: TPB/A/NE-TK/745
Our Ref.: pa/ne.tk/2112642

Secretary
Town Planning Board
15/F., North Point Government Offices
No. 333, Java Road,
North Point, Hong Kong
(Attn.: Ms. Leticia LEUNG)



19 April 2022

Dear Madam,

S16 Application for Proposed Temporary Warehouse
(Storage of Grain, Cooking Oil and Grocery)
for a Period of 3 Years at Various Lots in D.D.23 and Adjoining Government Land,
Ting Kok, Tai Po
(TPB/A/NE-TK/745)

We refer to your letter dated 1 April 2022 on the Town Planning Board's decision on the captioned application.

On behalf of the applicant, Mr. Chim Kwan Wo, we would like to apply to the Board under S17(1) of the Town Planning Ordinance for a review of the decision of the TPB. The supplementary statement in support of the review will be submitted in due course.

Should you have any questions, please feel free to contact the undersigned.

Thank you for your kind attention.

Yours faithfully,
For and on behalf of
PlanArch Consultants Ltd.

Betty S. F. Ho

cc: Client

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Page 1 of 1



Suite 1710, Concordia Plaza,
1 Science Museum Road,
Tsim Sha Tsui East,
Kowloon, Hong Kong.
Tel : (852) 2802-7203
Fax: (852) 2620-6022
E-mail: pac@planarch.com.hk

PlanArch Consultants Ltd.
建港規劃顧問有限公司



Our Ref.: pa/tp.tk/2112642

By Hand

Secretary
Town Planning Board
15/F., North Point Government Offices,
No. 333, Java Road,
North Point, Hong Kong
(Attn.: Ms. Leticia LEUNG)

15 June 2022

Dear Madam,

**S17(1) Review for Planning Application No. TPB/A-NE-TK/745
Temporary Warehouse (Storage of Grain, Cooking Oil and Grocery)
for a Period of 3 Years at Various Lots in DD23 and Adjoining Government Land,
Ting Kok, Tai Po**

We refer to your letter dated 1.4.2022 on the Town Planning Board's decision on the captioned application.

On behalf of the applicant, Mr. Chim Kwan Wo, we would like to apply to the Board under S17(1) of the Town Planning Ordinance for a review of the decision of the TPB.

Attached please find 90 copies of the supplementary statement in support of the review for your consideration.

Thank you for your kind attention.

Yours faithfully,
For and on behalf of
PlanArch Consultants Ltd.

Betty S. F. Ho

w/c.

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Page 1 of 1

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100 JUN 15 P 12 12
TOWN PLANNING BOARD



S17(1) Review Application for TPB/A/NE-TK/745

Temporary Warehouse

(Storage of Grain, Cooking Oil and Grocery)

Lot nos. 626(part), 627(part), 629(part), 630(part), 631(part),
632 and 634(part) in DD23 and Adjoining Government Land,
Ting Kok, Tai Po

PlanArch Consultants Ltd.

June 2022

Executive Summary

The applicant, Mr. Chim Kwan Wo, submits this review application under s.17(1) of the Town Planning Ordinance for a temporary warehouse (storage of grain, cooking oil and grocery) (糧油雜貨) at Lot Nos. 626 (part), 627 (part), 629 (part), 630 (part), 631 (part), 632 and 634 (part) in DD 23 and adjoining Government Land, Ting Kok, Tai Po for a period of 3 years. On 18.3.2022, the s.16 planning application (No. A/NE-TK/745) for temporary warehouse (storage of grain, cooking oil and grocery) at the application site was rejected by the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board on the grounds that the development is not in line with the planning intention of the “Agriculture” zone and the applicant failed to demonstrate the development would not result in adverse landscape impact on the area.

Subsequent to RNTPC’s decision, the applicant has made efforts to address the planning and landscape concerns and provides justifications to demonstrate that the proposed use is acceptable at the application site.

In view of the above, members are respectfully requested to review the application and grant permission for the proposed use at the application site.

行政摘要

申請人詹君和先生現根據城市規劃條例第 17(1)條，就位於大埔汀角第 23 約地段第 626 (部份)、627 (部份)、629 (部份)、630 (部份)、631 (部份)、632、634 (部份) 及毗鄰政府土地作臨時貨倉(糧油雜貨)用途(擬議年期為三年)，提出覆核申請。於 2022 年 3 月 18 日，城市規劃委員會的鄉郊及新市鎮規劃小組委員會以擬議發展不符合「農業」地帶的規劃意向，以及申請人未能證明擬議發展不會對該地區造成不利的景觀影響為由，拒絕了有關申請(申請編號 A/NE-TK/745)。

及後，申請人已努力提供理由證明基於相關的規劃和景觀考慮，申請地點是適合用作擬議用途的。

有鑑於以上原因，敬希城市規劃委員會通過此覆核申請。

1. INTRODUCTION

- 1.1.** This planning statement is submitted on behalf of Mr. Chim Kwan Wo (the applicant), for the s.17(1) review application for a temporary warehouse (storage of grain, cooking oil and grocery) (糧油雜貨) at Lot Nos. 626 (part), 627 (part), 629 (part), 630 (part), 631 (part), 632 and 634 (part) in DD 23 and adjoining Government Land, Ting Kok, Tai Po for a period of 3 years.
- 1.2.** The application site falls within an area zoned “Agriculture” (“AGR”) on the approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/19 (**Plan 1**). According to the Notes of the OZP, the proposed temporary warehouse is neither a Column 1 nor a Column 2 uses of “AGR” zone. However, according to the Covering Notes, the proposed development which is temporary use or development of any land or building not exceeding a period of 3 years requires permission from the Town Planning Board (TPB). A s.16 planning application (No. A/NE-TK/745) for the proposed use was therefore made to the TPB on 4.1.2022.
- 1.3.** On 18.3.2022, the s.16 planning application (No. A/NE-TK/745) for temporary warehouse (storage of grain, cooking oil and grocery) at the application site was rejected by the Rural and New Town Planning Committee (RNTPC) of the TPB. According to the letter from the TPB dated 1.4.2022, the reasons of rejection are as follow:
- (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. 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 the planning intention, even on a temporary basis”*; and
- (b) the applicant *“fail to demonstrate in the submission that the development would not result in adverse landscape impact on the area”*.
- 1.4.** On behalf of the applicant, PlanArch Consultants Ltd. apply to the TPB under s.17(1) of the Town Planning Ordinance for a review of the refusal decision of the TPB. In support of the review application, this written representation is prepared to provide justifications to demonstrate that the proposed use is acceptable at the application

site.

1.5. The structure of the planning statement is as follows:

Section 2: background of the proposed use

Section 3: responses to the reasons of rejection by TPB

Section 4: conclusion

1.6. The applicant has made genuine effort to demonstrate the suitability for the proposed use and propose landscape enhancement at the application site to improve the landscape quality on the area. It is considered that the operation of the temporary warehouse (storage of grain, cooking oil and grocery) is acceptable at the application site from planning and landscape point of view. In view of the above, members are requested to review the s.16 planning application and grant permission for the proposed use.

2. BACKGROUND

2.1. PLANNING CONTEXT

The application site is located near Lai Pek Shan San Tsuen in Ting Kok, Tai Po (**Plan 1**). It comprises Lot Nos. 626 (part), 627 (part), 629 (part), 630 (part), 631 (part), 632 and 634 (part) in DD 23 and adjoining Government Land (**Plan 2**). The site has a total site area of about 1,695m² including about 310m² of Government Land. It falls within the “AGR” zone on the approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/19 gazetted on 6.11.2015 (**Plan 1**). The Lots are devised as old schedule agricultural lots held under Block Government Lease with small portion of Government land.

The application site is located adjacent to some village houses of Lai Pek Shan San Tsuen with vegetated woodland in the background. Existing agricultural land are hardly found in the vicinity. Two pieces of formed land were found to the immediate south and further southeast to the application site. According to the RNTPC paper No. A/NE-TK/745, they are the subject of two previous planning enforcement actions (No. E/NE-TK/100 and E/NE-TK/160) against unauthorised development involving storage use and filling of land respectively.

2.2. APPROVED PLANNING APPLICATION

There were a number of planning applications approved with conditions for permanent uses in the same “AGR” zone from 2010 to 2018, mainly involved planning applications for proposed houses (New Territories Exempted House – Small House) (Nos. A/NE-TK/302, A/NE-TK/554 and A/NE-TK/633) fall or largely fall within the “AGR” zone. One of the approved applications (No. A/NE-TK/554) had an area of 1,270.5m² largely falls within the “AGR” zone.

2.3. EXISTING LAND USE AND OPERATION HISTORY

The warehouse for storage of grain, cooking oil and grocery commenced at the application site since 1989. The application site has been used for storage and was regarded as “Existing Use”. The father of the applicant, Mr. CHIM Moon Bor acquired Lots 627 and 631 in D.D.23 in Tai Po for warehouse/open storage purpose for condiments and preserved food in 1989 and rented the adjoining lots for the same operation. The application site is currently operated by the applicant as warehouse

under the name of Yat Fung Food Logistics Co. Ltd.

The application site was in fact formed and a number of structures were built for the same purpose as the proposed use before the gazette of Ting Kok Interim Development Permission Area (IDPA) Plan No. IDPA/NE-TK/1 on 7.9.1990. The 7.9.1990 aerial photo (Plan A-3 of the RNTPC paper) shows the existence of the open storage and warehouse before the gazette of the IDPA plan. According to the definition under TPB Ordinance, the “Existing Use”. Appearance of the external and internal conditions of the “Existing Use” in the 1980s were shown in **Figures 1 & 2**.

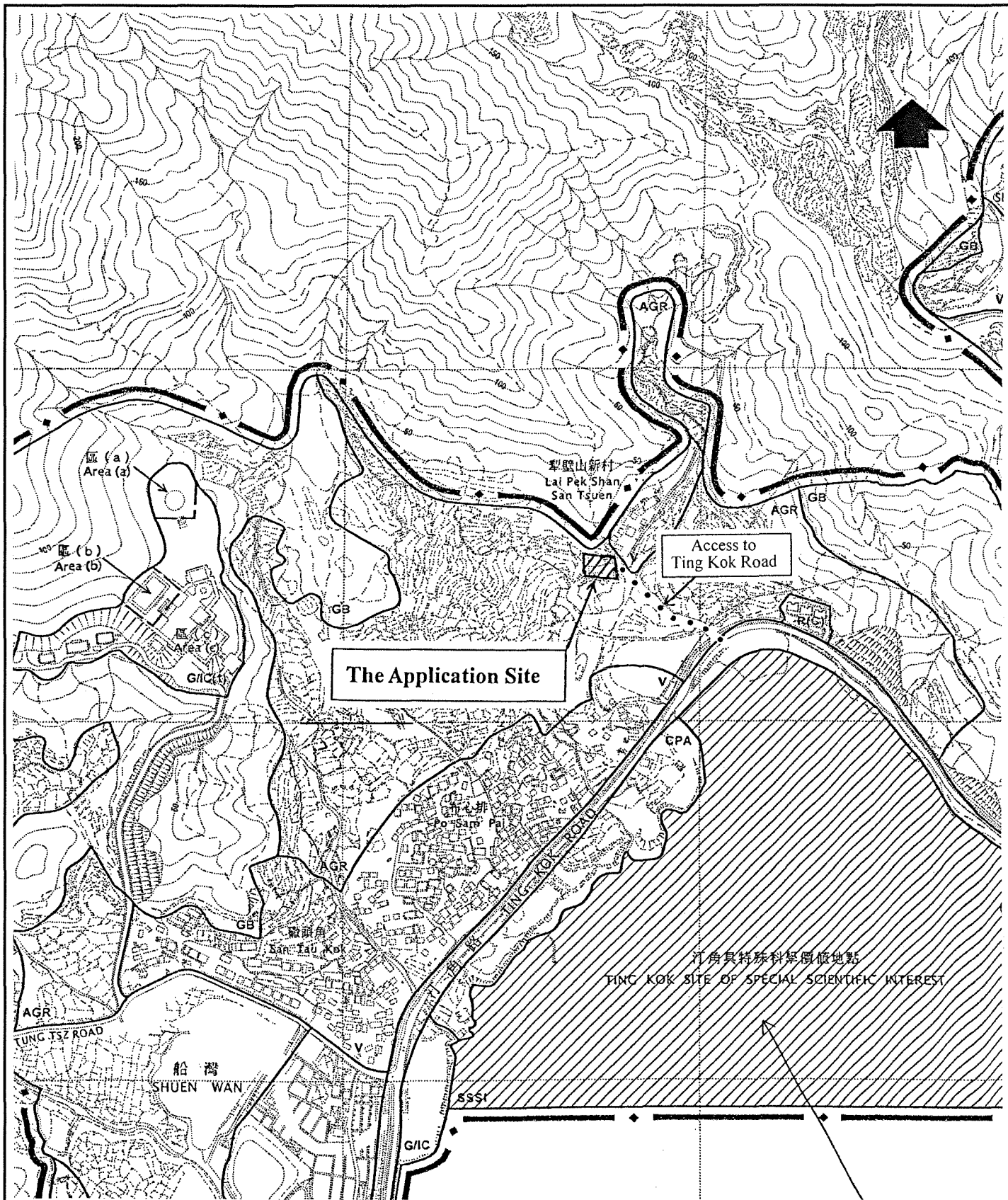
Figure 1: Appearance of the warehouse and open storage in the 1980s



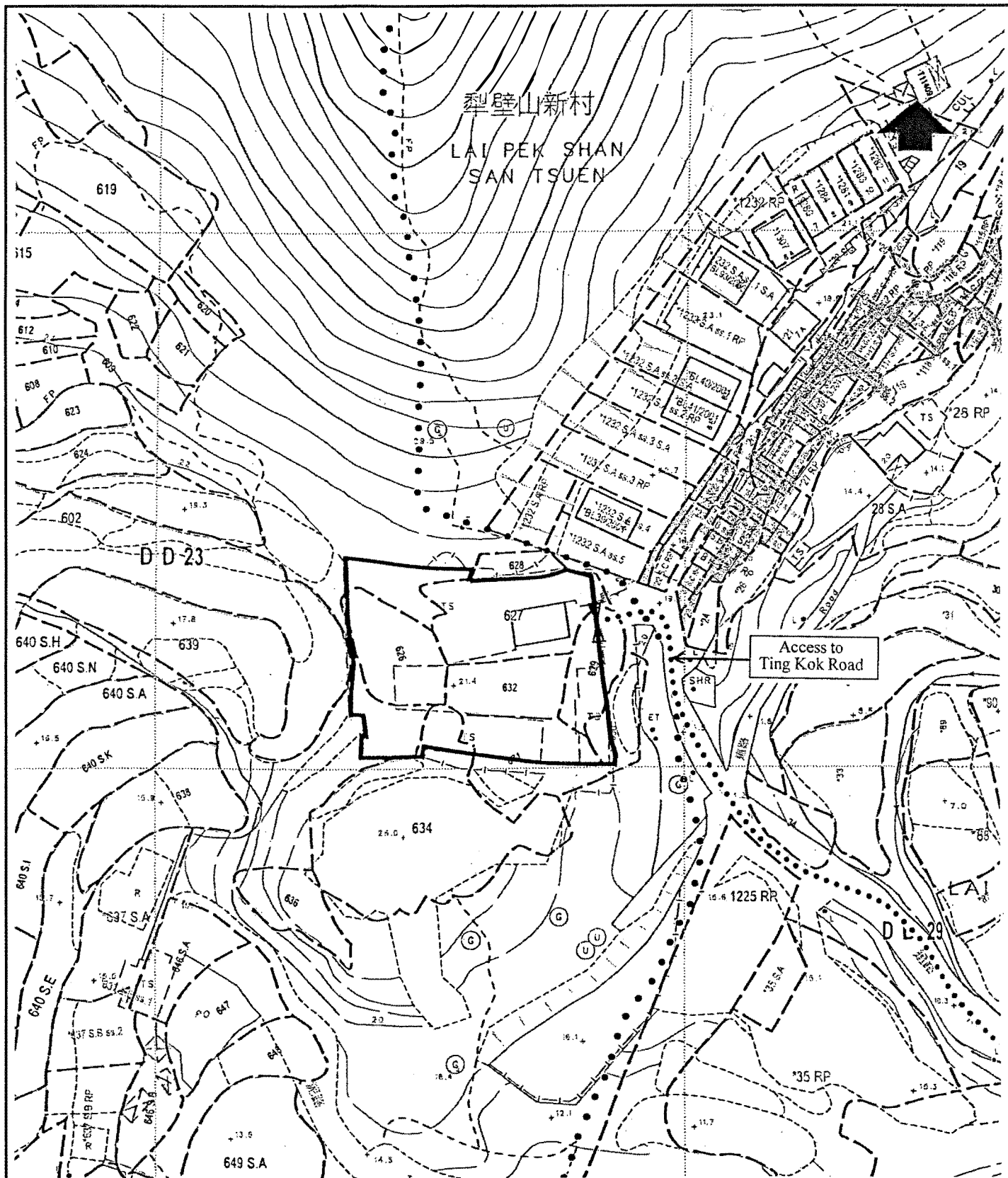
Figure 2 : Internal condition of the warehouse in the 1980s



The operation of the warehouse has expanded with increase in covered area over the years. Subsequently, a s.16 application was submitted to the TPB with intention to regularize the enlarged covered area in January 2022, but was rejected by the TPB on 18.3.2022 due to departure from planning intention of the “AGR” zone and landscape concerns.



<p>Plan Extracted from Approved Ting Kok Outline Zoning Plan No.S/NE-TK/19 Gazetted on 6.11.2015</p>	<p style="text-align: center;">Location Plan</p> <p style="text-align: center;">S17(1) Review Application for TPB/A/NE-TK/745 Temporary Warehouse (Storage of Grain, Cooking Oil and Grocery) for a Period of 3 Years at Various Lots in DD23 and Adjoining Government Land, Ting Kok, Tai Po</p> <p style="text-align: center;">0 200 400 METRES</p>	<p style="text-align: center;">Plan 1</p> <p style="text-align: center;">PlanArch Consultants Ltd.</p> <p>Revision: Date: 2.6.2022</p>
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Legend

 The Application Site

Base Plan Extracted from
Lot Index Plan No.
ags_S00000087014_0001
Prepared by Land Information
Centre on 24.12.2021

Site Plan

S17(1) Review Application for
TPB/A/NE-TK/745
Temporary Warehouse
(Storage of Grain, Cooking Oil and Grocery)
for a Period of 3 Years at Various Lots in D D23
and Adjoining Government Land,
Ting Kok, Tai Po

0 10 20 30 40 50 METRES

Plan 2

PlanArch Consultants Ltd.

Revision:  Date: 2.6.2022

3. RESPONSES TO THE GROUND OF REJECTION

3.1. REJECTION REASONS

As shown in the letter from the TPB dated 1.4.2022, the rejection 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. 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 the planning intention, even on a temporary basis; and
- (b) the applicant failed to demonstrate in the submission that the development would not result in adverse landscape impact on the area.

3.2. FURTHER JUSTIFICATIONS

3.2.1. THE PROPOSED DEVELOPMENT WILL NOT RESULT IN DEPARTURE FROM THE PLANNING INTENTION

According to the concerned OZP, the planning intention of the “AGR” zone mainly consisted of two parts, which are to “retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes” and “retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes”. By interpretation, the planning intention is to maintain the quality and condition of the land falls within “AGR” zone as of its ‘existing’ status immediately before the gazette of IDPA Plan to facilitate the continual use or rehabilitation for agricultural purposes. However, the application site was formed in 1989 before the gazette of IDPA Plan and does not possess both good quality for agricultural use nor potential for rehabilitation for agricultural purposes.

Not a Piece of Good Quality Agricultural Land

The application site is not a piece of agricultural land since its “Existing Use” as storage status. It was already a formed land with a few structures erected on the site immediately before the gazette of IDPA Plan No. IDPA/NE-TK/1 on 7.9.1990 as

shown in the aerial photo dated 7.9.1990 (Plan A-3 of the RNTPC paper). Therefore, it could hardly be defined as a good quality agricultural land/farm/fishpond to be retained or safeguard.

Low Potential and Not Practicable for Agricultural Rehabilitation

AFCD suggested in Para. 9.1.2 of the RNTPC paper that the site “can be used for agricultural activities such as open field cultivation, greenhouses, plant nurseries etc.” and “possess potential for agricultural rehabilitation.”

However, according to the directions given under the New Agricultural Policy¹, size of an agricultural land is one of the most important considerations to achieve economy of scale. In identifying potential site for agricultural use, farmland which largely remain fallow, and which would provide relatively ready location for starting agricultural activities would be prioritised. The area should remain relatively unspoiled with soil and water quality suitable for agricultural purpose and with essential agricultural infrastructure such as operational irrigation channels. It may consist of fallow farmland, or part of it may remain under active farming.

According to the surveys conducted by the AFCD, there are more than 4,000 ha of agricultural land in Hong Kong, most of which are fallow at present and about 328 ha are under active cultivation. There should be more than enough agricultural land for development of local agriculture¹.

The application site has a site area of only 1,695 m². Its size is not sufficed for profitable operation for agricultural use. It also possesses low potential to form part of the agricultural land agglomeration as it is located adjacent to village development in Lai Pek Shan San Tsuen where no farming is practised. Limited existing or fallow agricultural lands can be found in vicinity. Moreover, the application site was already paved and was not “fallow” nor readily-available for agricultural purpose. The site has been operated as a warehouse for storage of grain, cooking oil and grocery since 1989 where the soil quality is questionable. No agricultural infrastructure is equipped at the application site. Although the site is accessible and water from Water Services Department is available, it is impracticable and uneconomic for using the site for agricultural (greenhouses/ plant nurseries) purpose. Considering the above, the application site is not considered practicable for agricultural rehabilitation.

¹ See <https://www.legco.gov.hk/yr15-16/english/panels/fseh/papers/fseh20160202cb2-767-3-e.pdf>

Availability land area of the application site is only 1,695m² and do not consist of any fallow farmland or active farming. Therefore, it is undesirable for agricultural use and could be tolerated for proposed use in a temporary basis.

The Planning Intention of “AGR” Zone does not Reflective the Nature of the “Existing Use”

As affirmed in Para. 11.2 of the RNTPC paper, the application site “had been cleared of vegetation with some structures for warehouse use erected along the northern boundary when the Ting Kok IDPA Plan No. IDPA/NE-TK/1 was gazetted on 7.9.1990”. Although the no. and scale of the structures at the application site have been increased since its “Existing Use”, no further clearance on vegetation was conducted after the gazette of IDPA plan and its use for storage remains unchanged. Therefore, the applicant is legitimate to execute the right of operating the proposed warehouse at the application site.

On the other hand, even the s.16 application is rejected, the applicant will not use the land for agriculture purpose. The applicant will continue the operation of the storage with a reduced scale that same as in pre-1990.

Temporary Use will Not Jeopardise the Long Term Planning Intention

Although the storage has an “Existing Use” status, it is aware that the enlarged covered area requires planning approval, the applicant is willing to apply for a temporary warehouse (storage of grain, cooking oil and grocery) for the whole site for a period of 3 years so that it will be under proper monitoring. The temporary development will not affect the long-term planning intention of the area.

3.2.2. NO DEGRADATION ON LANDSCAPE VALUE AT THE SITE SINCE “EXISTING USE”

According to comments from the Urban Design and Landscape Unit of the Planning Department (PlanD) as underlined in Para. 9.1.3 of the RNTPC paper, “no significant landscape resources is observed within the Site”. It is also considered “not necessary to impose a landscape condition as the effect on enhancing the quality of public realm is not apparent”.

There has been no degradation on landscape value by human activities at the application site such as further clearance on vegetation or tree felling since the gazette of IDPA plan.

The proposed development will preserve and maintain the current landscape features. Landscaping and boundary fencing are found along the site boundary and will be well maintained, to minimise any possible visual impact to the surroundings and enhance amenity in the surrounding areas. The existing trees could effectively minimize the visual impact and provide greeneries in the area. Regular maintenance including watering, weeding, pest control, litter removal, fertilizing, etc. will also be carried out by the applicant to ensure that the trees at the periphery of the site are in good condition. The applicant has demonstrated great effort to ensure clean and tidy operation of the warehouse and will continue to maintain good practice.

The applicant proposes to plant more trees at the periphery of the application site to enhance the landscape amenity at the application site and the environment. Please refer to the landscape proposal at **Plan 3**.

3.2.3. APPROVAL OF THIS APPLICATION WILL NOT SET AN UNDESIRABLE PRECEDENCE

It was mentioned in Para. 11.2 of the RNTPC paper that “the approval of the application may encourage other similar developments which would alter landscape character and degrade the landscape quality of the “AGR” zone”. However, the application will not set an undesirable precedence for similar applications as the warehouse operation is an “Existing Use” at the application site which is a unique case. Although there are two sites subject to previous planning enforcement actions (No. E/NE-TK/100 and E/NE-TK/160) against unauthorised development involving storage use and filling of land, they are formed after the gazettal of IDPA plan which are in different scenario with the current application.

The warehouse has been well-managed and has not caused any adverse traffic, drainage, fire safety, and other environmental impacts. It is a very special case because it has an “Existing Use” status and is a long-established family business which is related to daily necessity of people. The application relates to additional warehouse area in response to growing demand of the daily necessity. It would not set an undesirable precedent case for similar applications. The good track records should merit the approval of this application by the TPB.

3.2.4. NO ADVERSE COMMENTS OR OBJECTION FROM OTHER GOVERNMENT DEPARTMENTS

The following government departments have no adverse comments/objection to the

application:

- Lands Department;
- Environmental Protection Department;
- Transport Department;
- Highways Department;
- Drainage Services Department;
- Buildings Department;
- Fire Services Department;
- Water Supplies Department;
- Civil Engineering and Development Department; and
- Home Affairs Department.

The proposed warehouse will not result in adverse drainage, traffic, fire safety or environmental impact. To support the warehouse operation and minimise environmental and traffic impact to surrounding area, goods vehicles with weight not heavier than 9 tonnes would be used for delivery of goods. The applicant has demonstrated great effort to ensure clean and tidy operation of the warehouse and shall merit favourable consideration of the planning application. The applicant has undertaken environmental mitigation measures which fully complies with the *Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites*.

4. CONCLUSION

This planning statement has fully addressed the concerns from planning and landscape perspectives of the proposed development raised at the s.16 application stage.

We have demonstrated that:

- the proposed development will not cause departure from the planning intention as it is not a piece of good quality agricultural land nor having great potential for agricultural rehabilitation;
- the planning intention of “AGR” zone does not reflect the nature of the “Existing Use” of the application site;
- there was no degradation on landscape value at the application site since its “Existing Use”;
- approval of this application will not set an undesirable precedence considering the uniqueness of the application site in terms of its “Existing Use”;
- the proposed development enables the survival of long-established family business and serves the needs of the community;
- the applicant has been demonstrating good practices in clean operation and it shall merit favourable consideration;
- the application site will not cause adverse drainage, traffic, fire safety and environmental impact to surrounding area; and
- there are no adverse comments/objections from other government departments apart from PlanD and AFCD.

Given the above responses and justifications presented in the planning statement, we trust that the TPB will find it appropriate to reconsider the proposal and approve this s.17(1) application for temporary warehouse (storage of grain, cooking oil and grocery) (糧油雜貨) at the application site for a period of 3 years.

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PlanArch Consultants Ltd.
建港規劃顧問有限公司



Our Ref.: pa/tp.tk/2112642

By Email (tpbpd@pland.gov.hk)

Secretary
Town Planning Board
15/F., North Point Government Offices,
No. 333, Java Road,
North Point, Hong Kong
(Attn.: Ms. Leticia LEUNG)

15 June 2022

Dear Madam,

S17(1) Review for Planning Application No. TPB/A/NE-TK/745
Temporary Warehouse (Storage of Grain, Cooking Oil and Grocery)
for a Period of 3 Years at Various Lots in DD23 and Adjoining Government Land,
Ting Kok, Tai Po

We refer to our submission for the captioned S17(1) review for planning application no. TPB/A/NE-TK/745 to the Town Planning Board on 15.6.2022.

Enclosed please find a revised page (p.4) of the supplementary statement for your consideration.

Thank you for your kind attention.

Yours faithfully,
For and on behalf of
PlanArch Consultants Ltd.

Betty S. F. Ho

w/e.

under the name of Yat Fung Food Logistics Co. Ltd.

The application site was in fact formed and a number of structures were built for the same purpose as the proposed use before the gazette of Ting Kok Interim Development Permission Area (IDPA) Plan No. IDPA/NE-TK/1 on 7.9.1990. The 7.9.1990 aerial photo (Plan A-3 of the RNTPC paper) shows the existence of the open storage and warehouse before the gazette of the IDPA plan. According to the definition under TPB Ordinance, the “Existing Use” means “a use of a building or land that was in existence immediately before the publication in the Gazette of notice of the draft plan of the development permission area”. Appearance of the external and internal conditions of the “Existing Use” in the 1980s were shown in **Figures 1 & 2**.

Figure 1: Appearance of the warehouse and open storage in the 1980s



Figure 2 : Internal condition of the warehouse in the 1980s



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Re: A/NE-TK/745 DD 23 Lai Pek Shan San Tsuen
16/05/2022 03:13

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

B5-1

Dear TPB Members,

Support rejection of 28 March:

PlanD has some reservations on the application as the applied use is incompatible with the surrounding landscape character. There are no similar applications for temporary warehouse within the same "AGR" zone in the vicinity of the Site. Approval of the application may encourage other similar developments which would alter the landscape character and degrade the landscape quality of the "AGR" zone. It is noted that there are areas cleared of vegetation and formed to the immediate south and further southeast of the Site, which were subjects of previous planning enforcement actions (No. E/NE-TK/100 and E/NE-TK/160) against UD involving storage use and filling of land.

The applicant has been gradually extending the operation without approvals and infringing onto government land.

The review has no justification.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Sunday, 20 February 2022 2:09 AM CST
Subject: A/NE-TK/745 DD 23 Lai Pek Shan San Tsuen

A/NE-TK/745

Lots 626 (Part), 627 (Part), 629 (Part), 630 (Part), 631 (Part), 632, 634 (Part) in D.D. 23 and Adjoining Government Land, Lai Pek Shan San Tsuen, Ting Kok, Tai Po

Site area : About 1,695sq.m Includes Government Land of about 310sq.m

Zoning : "Agriculture"

Applied use : Warehouse / 2 Vehicle Parking

Dear TPB Members,

Strong objections. While this is an established operation, the issue is that it has expanded beyond the original footprint.

"Over the years the operation has expanded and covered a larger area with bigger structures"

Google Maps indicate that there has been further incursion into the AG zoning, probably to accommodate further expansion. The expansion is now encroaching onto government land.

Any approval should be confined to the original footprint. Approval would encourage further brownfield operations. Ting Kok is very popular as a district where people go to relax and explore nature. The lots near the main road have already been densely developed, the still green hinterland buffer to the country park should be protected from development.

Mary Mulvihill

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

參考編號

Reference Number:

220510-155638-85192

提交限期

Deadline for submission:

20/05/2022

25-2

提交日期及時間

Date and time of submission:

10/05/2022 15:56:38

有關的規劃申請編號

The application no. to which the comment relates:

A/NE-TK/745

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Lam Ka Hing

意見詳情

Details of the Comment :

反對，鄉郊設倉庫及工場必會增加附近車輛出入流量，引至附近交通阻塞、環境污染，增加引發火警危機，影響村民安全及生活質數。

Recommended Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the proposed use at the Site;
- (b) to note the comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that:
 - (i) the Site consists of seven private lots in D.D. 23 and 2 pieces of adjoining unallocated government land in Ting Kok. The private lots are held under the Block Government Lease demised for agricultural purpose. No structure shall be erected on the lots without prior approval from LandsD;
 - (ii) a recent site inspection revealed that two unauthorised structures with a total GFA of about 1,210.95m² were erected on the Site without prior approval from LandsD. The existing GFA is different from that under the current planning application. One of the unauthorised structures is also found straddled onto Lot 628 outside the Site. Warning letters were issued against these temporary structures. The lot owner is required to clear any unauthorised structures on the Site immediately. Otherwise, appropriate enforcement action would be taken in due course;
 - (iii) Short Term Waiver (STW) applications for temporary warehouse purpose with a total GFA of 819.68 m² on Lots 626, 627, 629, 630, 631 and 634 in D.D. 23 were received by his office on 25.10.2018. The GFA under the said STW applications was different from that under the current planning application. For the government land within the Site, no Short Term Tenancy (STT) application is received, and neither occupation nor works of any kind thereon is allowed. Should the application be approved, the lot owners are required to submit new applications for STW and STT to LandsD if they wish to erect the structures on the lots or occupy the government land for the applied use. However, there is no guarantee that the STW and STT applications would be approved. If the STW and STT applications are approved by LandsD acting in the capacity as landlord at its sole discretion, such approval will be subject to such terms and conditions as may be imposed by LandsD where appropriate, including payment of waiver fee/rental and administrative fee;
 - (iv) the applicant will likely make use of the unallocated government land adjoining Lots 629 and 630 for access to the Site. As such, no trees thereon shall be interfered with unless prior approval is obtained from LandsD. The maintenance and management responsibility of the said government land and any other government land leading to the Site should be sorted out with the relevant government departments, prior to making use of them for ingress/egress purpose. Neither occupation nor works of any kind thereon is allowed without the prior approval from LandsD; and
 - (v) there is no guarantee to the grant of right of way to the Site or approval of the emergency vehicular access (EVA) thereto;
- (c) to note the comments of the Commissioner of Transport (C for T) that the village access connecting Ting Kok Road is not under Transport Department's management. The land status, management and maintenance responsibilities of the village access should be

clarified with the relevant lands and maintenance authorities accordingly in order to avoid potential land disputes;

- (d) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) there is no existing DSD maintained public drain available for connection in the area. The applicant should have his own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from the 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 are to be erected. Any existing flow path affected should be re-provided. The proposed use should neither obstruct overland flow nor adversely affect the existing natural streams, village drains, ditches and the adjacent areas. The applicant is required to maintain the drainage systems properly and rectify the systems if they are found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems; and
 - (ii) for works to be undertaken outside the lot boundary, prior consent and agreement from LandsD and/or relevant private lot owners should be sought;
- (e) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
 - (i) if the existing structures are erected on leased land without approval of the Buildings Department (BD) (not being a New Territories Exempted House), they are unauthorized under the Buildings Ordinance (BO) and should not be designated for any approved use under the planning application;
 - (ii) before any new buildings works are to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained unless they are exempted building works or commenced under the simplified requirement under the Minor Works Control System, otherwise they are Unauthorized Building Works (UBW). An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - (iii) for UBW erected on leased land, enforcement action may be taken by the BA to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing buildings works or UBW on the Site under the BO;
 - (iv) if the proposed use under application is subject to the issue of a license, please be reminded that any existing structures on the Site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority;
 - (v) any temporary shelters or converted containers for storage or other uses are considered as temporary buildings are subject to the control of Part VII of the Building (Planning) Regulations (B(P)R);
 - (vi) the Site shall be provided with means of obtaining access thereto from a street under the Regulation 5 of the B(P)R and EVA shall be provided under the

Regulation 41D of the B(P)R;

- (vii) if the Site is not abutting on a specified street having a width not less than 4.5m, the development intensity shall be determined by the BA under Regulation 19(3) of the B(P)R at building plan submission stage;
- (viii) in general there is no requirement under the BO in respect of provision of car parking spaces for a proposed development. However, the applicant's attention is drawn to the provision of accessible car parking spaces designated for the use of persons with a disability as per the requirements under the B(P)R 72 and Division 3 of Design Manual: Barrier Free Access 2008;
- (ix) formal submission under the BO is required for any proposed new works, including any temporary structures and site formation works like filling of pond and land. Detailed comments under BO will be provided at the building plan submission stage; and
- (f) to note the comments of the Director of Fire Services (D of FS) that the applicant should submit relevant layout plans incorporated with the proposed fire service installations (FSIs) for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy and the location of the proposed FSIs to be installed should be clearly marked. The applicant is reminded that if the proposed structure(s) are required to comply with the BO, detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.