

RNTPC Paper No. A/YL-SK/302A  
For Consideration by  
the Rural and New Town  
Planning Committee  
on 9.7.2021

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

**APPLICATION NO. A/YL-SK/302**

<b><u>Applicant</u></b>	Swiss Caviar House (Asia) Limited
<b><u>Site</u></b>	Lot 363 S.A in D.D. 112, Shek Kong, Yuen Long
<b><u>Site Area</u></b>	About 781.5 m <sup>2</sup>
<b><u>Lease</u></b>	Block Government Lease (demised for agricultural use)
<b><u>Plan</u></b>	Approved Shek Kong Outline Zoning Plan (OZP) No. S/YL-SK/9
<b><u>Zoning</u></b>	“Agriculture” (“AGR”)
<b><u>Application</u></b>	Proposed Public Utility Installation (Solar Energy System)

**1. The Proposal**

- 1.1 The applicant seeks planning permission to use the application site (the Site) for proposed public utility installation (solar energy system). The Site falls within an area zoned “AGR” on the approved Shek Kong OZP (**Plan A-1**). According to the Notes of the OZP, ‘Public Utility Installation’ is a Column 2 use within the “AGR” zone, which requires planning permission from the Town Planning Board (the Board). The Site is currently vacant and fenced.
- 1.2 According to the applicant, the proposed development will comprise a total of 176 solar panels (1.755m long x 1.038m wide x 0.035m high each), which will be mounted on aluminium/galvanized steel stands and placed on ground with the support of concrete bricks at the foot of the stands. The combined height of each panel and stand would not exceed 1.5m. Besides, there will be a single-storey (about 6m high) solar energy control room with a total non-domestic floor area of about 30m<sup>2</sup> at the northeastern corner of the Site (**Drawing A-1**). The remaining area (of about 430m<sup>2</sup>) will mainly be used for circulation purpose. No filling of land will be involved within the Site. The Site is accessible via a local access branching off from Shek Kong Airfield Road (**Plan A-2**). No parking or loading/unloading spaces will be provided on-site. The layout plan and photomontage submitted by the applicant are at **Drawings A-1 and A-2**.

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

- (a) Application Form with Attachment received on 23.2.2021 **(Appendix I)**
- (b) Further information (FI) dated 24.5.2021 (*exempted from publication*) **(Appendix Ia)**

1.4 On 16.4.2021, the Rural and New Town Planning Committee (the Committee) agreed to the applicant's request to defer making a decision on the application for two months in order to allow time for the applicant to prepare FI to address comments from various departments. On 24.5.2021, the applicant submitted FI to respond to the departmental comments.

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in **Appendices I and Ia**, and are briefly summarised as follows:

- (a) the proposed development would make good use of the vacant site;
- (b) the proposed solar energy system supports the environmental protection initiative and helps promote environmental awareness. Specifically, it is in line with the Government's policy to promote green energy; and
- (c) the proposed development would form part of the CLP Power Hong Kong Limited (CLP)'s Renewable Energy (RE) Feed-in Tariff (FiT) Scheme. The applicant has obtained the acknowledgment letter from CLP.

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

The applicant is the sole "current land owner" of the Site. Detailed information would be deposited at the meeting for Members' inspection.

## **4. Assessment Criteria for Considering Applications for Solar Photovoltaic (SPV) System**

The set of assessment criteria for considering applications for SPV system made under Section 16 of the Town Planning Ordinance was approved by the Board on 3.7.2020 and promulgated on 21.7.2020 (**Appendix II**). The relevant assessment criteria are summarised as follows:

- (a) it is a prerequisite for the applicant to obtain the 'Consent Letter' or 'Acknowledgement Letter' from CLP / The Hongkong Electric Company Limited (HKE) and submit a copy of the document together with the application to demonstrate the technical feasibility of the scheme in terms of serviceability, electrical safety and output generated by the SPV system;

- (b) unless with strong justifications, the SPV system, including the height of the proposed structures, should be in keeping with the surrounding area/developments and commensurate with the function(s) it performs;
- (c) for optimisation of use of land, favourable consideration may be given if viability of co-existence of the proposed SPV system and uses that are in line with the long-term planning intention of the land use zoning of the Site could be satisfactorily demonstrated;
- (d) it has to be demonstrated to the satisfaction of the relevant government departments that the SPV system will not have significant adverse impacts, including but not limited to those relating to the environment, drainage, sewerage, traffic, geotechnical safety, landscape and visual<sup>1</sup> and, where needed, appropriate measures are to be adopted to mitigate the impacts;
- (e) unless with strong justifications, proposals involving extensive site formation, vegetation clearance/tree felling, excavation or filling of land/pond are generally not supported;
- (f) where the installation is proposed to be in area close to airports and/or heliports, or major roads, it has to be demonstrated to the satisfaction of the relevant government departments that the SPV system should not cause glare to pilots/drivers and/or unacceptable adverse impact on aviation and/or traffic safety;
- (g) the planning intention of “AGR” zone is to retain and safeguard good quality agricultural farm land/fish ponds for agricultural purposes. SPV system ancillary to agricultural use would not require planning permission<sup>2</sup>. Planning application for stand-alone SPV system as ‘Public Utility Installation’ use in the “AGR” zone is generally not supported except those on land with no active farming activities and low agricultural rehabilitation potential;
- (h) all other statutory or non-statutory requirements of the relevant Government departments must be met. Depending on the specific land use zoning of the Site, the relevant Town Planning Board guidelines should be observed, as appropriate; and
- (i) approval conditions to address the technical issues, if any, within a specified time and clauses to revoke the permission for non-compliance with approval conditions may be imposed as appropriate.

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<sup>1</sup> The applicant has to demonstrate that the proposal would not affect the visual and landscape amenities/character of the area adversely by, for instance, causing a significant change of landscape resources/character, dwarfing the surrounding developments or catching the public’s visual attention due to the scale and prominence of the proposed installation. Where appropriate, measures should be taken to mitigate the visual/landscape impact, for example, by peripheral screen planting.

<sup>2</sup> Installation of SPV system for generating electricity for a permitted use, such as that for a farm, green house/farm structures in the “AGR” zone mainly for generating electricity for agricultural purposes, or that installed in connection with New Territories Exempted Houses (NTEH) in “Village Type Development” (“V”) zone, are also regarded as an ancillary use.

## 5. **Background**

- 5.1 The Site is currently not subject to any active planning enforcement action.
- 5.2 The FiT Scheme is an initiative introduced by the Government under the post-2018 Scheme of Control Agreements with the two power companies for promoting the development of distributed RE. It aims to encourage the private sector to consider investing in RE as the power generated could be sold to the power companies at a rate higher than the normal electricity tariff to help recover the costs of investment in the RE systems and generation.
- 5.3 Any non-governmental bodies or individuals, who as customers of the relevant power company plan to install distributed RE systems at their premises in the respective power company's supply area, are eligible for prescribed FiT rates from that power company as long as they have been connected to the latter's grid. To join the Scheme, an applicant may make submission direct to the relevant power company with the required documents including the preliminary layout diagram and other information of the proposed RE system. After meeting the requirements specified by the power company on technical assessment, system test and installation works, the power company will proceed to install a smart meter in the applicant's premises to facilitate connecting the proposed RE system to the power grid. The successful applicant would be offered the FiT rate throughout the project life of the RE system until end 2033. The applicant shall ensure that the design, installation, operation and maintenance of the RE system comply with the applicable laws, guidelines and safety and technical guidelines.

## 6. **Previous Application**

There is no previous application in respect of the Site.

## 7. **Similar Application**

There is no similar application for 'public utility installation (solar energy system)' use within all "AGR" zones on the OZP.

## 8. **The Site and Its Surrounding Areas** (Plans A-1 and A-2, aerial photo on Plan A-3, and site photos on Plan A-4)

- 8.1 The Site is:
- (a) currently vacant and fenced; and
  - (b) is accessible via a local access branching off from Shek Kong Airfield Road.
- 8.2 The surrounding areas are predominantly rural in character with active/fallow farmland, domestic dwellings/structures, open storage yards and vacant land:

- (a) to its immediate north are a local access branching off from Shek Kong Airfield Road and Kam Tin River, and to its further north is the Airfield of Shek Kong Barracks; and
- (b) to its east, south and west are mainly pieces of active/fallow farmland intermixed with scattered domestic dwellings/structures, open storage yards, Pat Heung Central Primary School and vacant land.

## **9. 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.

## **10. Comments from Relevant Government Departments**

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

### **Land Administration**

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

- (a) the Site comprises an Old Schedule Agricultural Lot held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government; and
- (b) should planning approval be given to the planning application, the lot owner(s) will need to apply to her office to permit the structure(s) to be erected or regularise any irregularities on-site, if any. Besides, given the proposed use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. Applications for any of the above will be considered by LandsD acting in the capacity as the landlord or lessor at its sole discretion and there is no guarantee that such application(s) will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of rent or fee, as may be imposed by LandsD.

### **Traffic**

#### **10.1.2 Comments of the Commissioner for Transport (C for T):**

- (a) having regard to the FI (**Appendix Ia**), he has no comment on the application from the traffic engineering perspective; and

- (b) the Site is connected to the public road network via section of a local access road which is not managed by TD. The land status of the local access road should be checked with LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly.

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

he has no comment on the application from highways maintenance point of view, noting that no vehicular access is proposed or to be granted under the application.

**Environment**

10.1.4 Comments of the Secretary for the Environment (SEN):

- (a) he strongly supports the development of RE systems, especially larger-scale systems such as the one proposed under the current application, as they would be better able to meaningfully contribute to increasing the use of RE in Hong Kong;
- (b) the Chief Executive announced in her 2020 Policy Address that the Hong Kong Special Administrative Region would strive to achieve carbon neutrality before 2050. To achieve the target, Hong Kong needs to substantially increase the proportion of zero-carbon energy in the overall fuel mix for electricity generation and promoting the development of RE is an integral part of the decarbonisation strategy;
- (c) the policy of his bureau is for the Government to take the lead in developing RE where technically and financially feasible and to create conditions that are conducive to community participation. For the private sector, his bureau and the power companies have introduced the FiT Scheme, providing financial incentives which can encourage the private sector to invest in distributed RE. His bureau has also introduced a series of measures to facilitate and support members of the public in developing RE. Examples include relaxing the restrictions in relation to installation of PV systems at the rooftop of village houses and introducing a new scheme called "Solar Harvest" to install small-scale RE systems for eligible schools and welfare non-Governmental organisations. Electrical and Mechanical Services Department (EMSD) has also revamped its "HK RE Net" to provide useful information in respect of developing RE to the public; and
- (d) despite the efforts mentioned above, due to objective factors including, inter alia, topographical constraints, the RE potential in Hong Kong is modest and most RE installations developed/to be developed under the FiT Scheme are of relatively small scale.

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

- (a) in view of the nature and scale of the proposed development, he has no objection to the application;
- (b) based on the information provided, the applicant proposes to construct a solar energy system with 176 nos. of solar panels in the Site of 781.5m<sup>2</sup> with generation capacity of 20kW of renewable energy. The applicant also submitted the application under “Renewable Energy Feed-in Tariff” Scheme of CLP; and
- (c) the applicant is reminded to strictly comply with relevant pollution control ordinances, including Waste Disposal Ordinance and Water Pollution Control Ordinance, and to implement appropriate pollution control measures to minimise any potential environmental impacts during construction of the project. Reference could be made to relevant publications / guidelines including Recommended Pollution Control Clauses for Construction Contracts and Professional Persons Environmental Consultative Committee Practice Notes (ProPECC PN) 1/94, “Construction Site Drainage”.

**Agriculture and Nature Conservation**

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

- (a) the Site falls within the “AGR” zone and is currently cemented and vacant. Although agricultural activities are not active in the vicinity, agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as greenhouses, plant nurseries, etc. As the Site possesses potential for agricultural rehabilitation, the application is not supported from agricultural point of view;
- (b) noting that the Site is disturbed in nature, he has no comment on the application from nature conservation perspective; and
- (c) his advisory comments to the applicant are at **Appendix IV**.

**Visual and Landscape**

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

**Urban Design and Visual**

- (a) the proposed solar energy system will, to a certain extent, bring forth change to the visual context of the area where is predominantly by rural character. Nevertheless, as shown in the visual illustration in the submitted FI (**Appendix Ia**), a fence wall (2.5m high) will be installed along the site boundary to alleviate the visual impact of the

solar panels (1.5m high). As such, significant visual impact is not envisaged;

- (b) to further soften the edge and provide visual interest, the applicant is advised to improve the design of the boundary fencing and explore more mitigation measures such as buffer planting, vertical greening; and
- (c) his detailed comments are at **Appendix IV**.

#### Landscape

- (d) he has some reservations on the application from landscape planning perspective;
- (e) referring to the aerial photo in 2020, the Site is situated in an area of rural inland plains landscape character comprising scattered tree groups, open storage yards, temporary structures, village clusters, and active/fallow farmland. The proposed development is considered not entirely incompatible with the existing landscape character in proximity; and
- (f) with reference to her site photos dated 11.3.2021, the Site is a vacant barren land with a few containers and fenced. Further significant adverse impact to the landscape resources within the Site is not anticipated. According to record, no similar application within the "AGR" zone in proximity to the Site was approved. There is concern that approval of the application may encourage similar application within the area. The cumulative impact of such approval may alter the landscape character of the "AGR" zone.

#### Drainage

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

- (a) he has no objection in-principle to the proposed development from public drainage point of view;
- (b) should the application be approved, the conditions requiring the submission of a drainage proposal and the implementation of the drainage proposal for the development to the satisfaction of the Director of Drainage Services or of the Board should be included in the planning approval; and
- (c) the applicant is reminded to maintain all the drainage facilities on-site in good condition and ensure that the proposed development would neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc.



### **Building Matters**

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

- (a) before any new building works (including containers/open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the Building Authority should be obtained, otherwise they are unauthorised building works (UBW) under the Building Ordinance (BO). An Authorised Person should be appointed as the coordinator for the proposed building works in accordance with the BO;
- (b) for UBW erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with the prevailing enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO; and
- (c) his detailed comments are at **Appendix IV**.

### **Fire Safety**

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

- (a) he has no objection in-principle to the proposal subject to fire service installations (FSIs) being provided to his satisfaction;
- (b) in consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSIs to be installed should be clearly marked on the layout plans; and
- (c) the applicant is reminded that if the proposed structure(s) is required to comply with the BO, detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

### **Security**

#### 10.1.11 Comments of the Secretary for Security (S for S):

the Site is in close proximity to the Shek Kong Barracks. Due to the security concerns, the application is not supported.

### **Civil Aviation**

#### 10.1.12 Comments of the Director-General of Civil Aviation (DGCA):

regarding the installation of solar panels, the applicant is reminded about the glare that may be caused by the panels. While there is no specific requirement on the reflection of solar panels from aviation safety perspective, Article 47 of Air Navigation (Hong Kong) Order (Cap. 448C) stated that, “a person shall not recklessly or negligently act in a manner likely to endanger an aircraft or any person therein.” The reflection rate of solar panels with anti-reflective coating of around 5% is most advisable.

### **District Officer’s Comments**

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

he has not received any comment from locals upon close of consultation and he has no particular comment on the application.

#### 10.2 The following Government departments have no objection to/adverse comment on the application.

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Commissioner of Police (C of P);
- (c) Director of Electrical and Mechanical Service (DEMS); and
- (d) Project Manager/West, Civil Engineering and Development Department (PM/W, CEDD).

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

On 2.3.2021, the application was published for public inspection. During the three-week statutory publication period, a total of four objecting public comments were received from Kadoorie Farm & Botanic Garden Cooperation, Designing Hong Kong Limited and two individuals (**Appendix III**). All of them object to the application mainly on the grounds that the development is not in line with the planning intention of “AGR” zone; the approval of the application will set an undesirable precedent for other similar applications; the application is for private gain instead of public interest; and there will be glare problem as the Site is close to the Airfield of Shek Kong Barracks (**Plans A-2 and A-3**).

## **12. Planning Considerations and Assessment**

12.1 The application is for proposed public utility installation (solar energy system), involving 176 solar panels (1.755m long x 1.038m wide x 0.035m high each) and a single-storey solar energy control room at the Site zoned “AGR”. The planning intention of the “AGR” zone is to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. The proposed use is not in line with the planning intention of the “AGR” zone and would

result in the permanent loss of agricultural land of about 780m<sup>2</sup>. DAFC does not support the application from the agricultural point of view as the Site possesses potential for agricultural rehabilitation. It is considered that there is no strong planning justification for a departure from the planning intention of the “AGR” zone.

- 12.2 The surrounding areas are predominantly rural in character, comprising active/fallow farmland, domestic dwellings/structures, open storage yards and vacant land (**Plan A-2**). The proposed system with 176 solar panels mounting on steel stands and placed on ground with a combined height of not exceeding 1.5m is not considered incompatible with the surrounding environment. SEN strongly supports the development of large-scale RE systems such as the one proposed under the current application, as they would be better able to meaningfully contribute to increasing the use of RE in Hong Kong, while DEP and DEMS have no adverse comment on the application from environmental planning and electricity regulatory services perspectives respectively. Other departments including C for T, CE/MN of DSD and D of FS have no objection to/no comment on the application from traffic, drainage and fire safety aspects. However, the Site is in close proximity to the Shek Kong Barracks. S for S advises that approval of the application may result in security concerns. DGCA advises that glare may be caused by the solar panels, and the applicant is reminded to note that the reflection rate of solar panels with anti-reflective coating of around 5% is most advisable.
- 12.3 The proposed use is not entirely in line with the assessment criteria for considering applications for SPV system promulgated by the Board on 21.7.2020 in that stand-alone SPV system in the “AGR” zone is generally not supported except those on land with no active farming activities and low agricultural rehabilitation potential. According to DAFC, agricultural infrastructures such as road access and water source are available at the Site, which can be used for agricultural activities such as greenhouses, plant nurseries, etc. Besides, the proposed development does not meet the criterion of co-existence with the long-term planning intention of the “AGR” zone. The applicant fails to pursue a proposal to allow co-existence of the solar panels with agricultural activities to meet the assessment criteria.
- 12.4 Regarding the four objecting public comments received during the statutory publication period, the departmental comments and planning considerations and assessment above are relevant.

### **13. Planning Department's Views**

- 13.1 Based on the assessment made in paragraph 12 and having taken into account the public comments in paragraph 11, the Planning Department does not support the application for the following reasons:
- (a) the proposed development is not in line with the planning intention of the “AGR” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong planning justification has been given in the submission to justify a departure from the planning intention;

- (b) the application site is in close proximity to the Shek Kong Barracks. Approval of the application may result in security concerns; and
- (c) the proposed development is not entirely in line with the assessment criteria for considering applications for SPV system in that stand-alone SPV system in the “AGR” zone is generally not supported except those on land with no active farming activities and low agricultural rehabilitation potential.

13.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid until 9.7.2025, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval conditions

- (a) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the Town Planning Board; and
- (b) the submission and implementation of a proposal for fire service installations and water supplies for fire-fighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Advisory clauses

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

**14. Decision Sought**

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

**15. Attachments**

<b>Appendix I</b>	Application Form with Attachment received on 23.2.2021
<b>Appendix Ia</b>	Further information (FI) dated 24.5.2021
<b>Appendix II</b>	Assessment Criteria For Considering Applications For Solar Photovoltaic System Made Under Section 16 Of The Town Planning Ordinance
<b>Appendix III</b>	Public Comments

<b>Appendix IV</b>	Advisory Clauses
<b>Drawing A-1</b>	Layout Plan
<b>Drawing A-2</b>	Photomontage
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4</b>	Site Photos

**PLANNING DEPARTMENT  
JULY 2021**



This document is received on 23 FEB 2021  
The Town Planning Board will formally acknowledge  
the date of receipt of the application only upon receipt  
of all the required information and documents.

Form No. S16-1  
表格第 S16-I 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 proposals not involving or not only involving:  
適用於建議不涉及或不祇涉及:

- (i) Construction of "New Territories Exempted House(s)";  
興建「新界豁免管制屋宇」;
- (ii) Temporary use/development of land and/or building not exceeding 3 years in rural areas; and  
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;及
- (iii) Renewal of permission for temporary use or development in rural areas  
位於鄉郊地區的臨時用途或發展的許可續期

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

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

**General Note and Annotation for the Form**

**填寫表格的一般指引及註解**

# "Current land owner" means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made  
「現行土地擁有人」指在提出申請前六星期,其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人

& Please attach documentary proof 請夾附證明文件

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

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

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

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

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/ML-SK/302
	Date Received 收到日期	23 FEB 2021

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.  
申請人須把填妥的申請表格及其他支持申請的文件 (倘有), 送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會(下稱「委員會」)秘書收。
- Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <http://www.info.gov.hk/tpb/>. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).  
請先細閱《申請須知》的資料單張, 然後填寫此表格。該份文件可從委員會的網頁下載 (網址: <http://www.info.gov.hk/tpb/>), 亦可向委員會秘書處 (香港北角渣華道 333 號北角政府合署 15 樓 - 電話: 2231 4810 或 2231 4835) 及規劃署的規劃資料查詢處 (熱線: 2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 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)

Swiss Caviar House (Asia) Limited

## 2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)

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

## 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 363A DD112 Yuen Long
(b) Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面積	<input checked="" type="checkbox"/> Site area 地盤面積 ..... 781.5 ..... sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Gross floor area 總樓面面積 ..... 30 ..... sq.m 平方米 <input checked="" type="checkbox"/> About 約
(c) Area of Government land included (if any) 所包括的政府土地面積 (倘有)	..... sq.m 平方米 <input type="checkbox"/> About 約



(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	石崗分區計劃大綱圖 - S/YL - SK/9
(e) Land use zone(s) involved 涉及的土地用途地帶	農業
(f) Current use(s) 現時用途	空置土地  (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

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

The applicant 申請人 -

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

#### 5. Statement on Owner's Consent/Notification

就土地擁有人的同意/通知土地擁有人的陳述

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

(b) The applicant 申請人 -

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

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

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

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

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

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

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

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

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

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

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

Others 其他

- ☐ others (please specify)  
其他（請指明）

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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**

- ☐ Type (i) Change of use within existing building or part thereof  
第(i)類 更改現有建築物或其部分內的用途
- ☐ Type (ii) Diversion of stream / excavation of land / filling of land / filling of pond as required under Notes of Statutory Plan(s)  
第(ii)類 根據法定圖則《註釋》內所要求的河道改道／挖土／填土／填塘工程
- ☒ Type (iii) Public utility installation / Utility installation for private project  
第(iii)類 公用事業設施裝置/私人發展計劃的公用設施裝置
- ☐ Type (iv) Minor relaxation of stated development restriction(s) as provided under Notes of Statutory Plan(s)  
第(iv)類 略為放寬於法定圖則《註釋》內列明的發展限制
- ☐ Type (v) Use / development other than (i) to (iii) above  
第(v)類 上述的(i)至(iii)項以外的用途／發展

Note 1: May insert more than one 「✓」.

註 1: 可在多於一個方格內加上「✓」號

Note 2: For Development involving columbarium use, please complete the table in the Appendix.

註 2: 如發展涉及靈灰安置所用途, 請填妥於附件的表格。

**(c) For Type (i) application 供第(i)類申請**

(a) Total floor area involved 涉及的總樓面面積	sq.m 平方米		
(b) Proposed use(s)/development 擬議用途/發展	(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)		
(c) Number of storeys involved 涉及層數		Number of units involved 涉及單位數目	
(d) Proposed floor area 擬議樓面面積	Domestic part 住用部分 .....		sq.m 平方米 <input type="checkbox"/> About 約
	Non-domestic part 非住用部分 .....		sq.m 平方米 <input type="checkbox"/> About 約
	Total 總計 .....		sq.m 平方米 <input type="checkbox"/> About 約
(e) Proposed uses of different floors (if applicable) 不同樓層的擬議用途(如適用) (Please use separate sheets if the space provided is insufficient) (如所提供的空間不足, 請另頁說明)	Floor(s) 樓層	Current use(s) 現時用途	Proposed use(s) 擬議用途

**(ii) For Type (ii) application 供第(ii)類申請**

(a) Operation involved 涉及工程	<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 <p>(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) (請用圖則顯示有關土地/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))</p>
(b) Intended use/development 有意進行的用途/發展	

**(iii) For Type (iii) application 供第(iii)類申請**

(a) Nature and scale 性質及規模	<input checked="" type="checkbox"/> Public utility installation 公用事業設施裝置 <input type="checkbox"/> Utility installation for private project 私人發展計劃的公用設施裝置											
	Please specify the type and number of utility to be provided as well as the dimensions of each building/structure, where appropriate 請註明有關裝置的性質及數量, 包括每座建築物/構築物(倘有)的長度、高度和闊度											
	<table border="1"> <thead> <tr> <th>Name/type of installation 裝置名稱/種類</th> <th>Number of provision 數量</th> <th>Dimension of each installation/ building/structure (m) (LxWxH) 每個裝置/建築物/構築物的尺寸 (米) (長 x 闊 x 高)</th> </tr> </thead> <tbody> <tr> <td>太陽能板-每件尺寸</td> <td>176</td> <td>1.755m x 1.038m x 0.035m</td> </tr> <tr> <td>太陽能系統控制房</td> <td>1</td> <td>6.1m x 4.9m x 6m</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Name/type of installation 裝置名稱/種類	Number of provision 數量	Dimension of each installation/ building/structure (m) (LxWxH) 每個裝置/建築物/構築物的尺寸 (米) (長 x 闊 x 高)	太陽能板-每件尺寸	176	1.755m x 1.038m x 0.035m	太陽能系統控制房	1	6.1m x 4.9m x 6m		
Name/type of installation 裝置名稱/種類	Number of provision 數量	Dimension of each installation/ building/structure (m) (LxWxH) 每個裝置/建築物/構築物的尺寸 (米) (長 x 闊 x 高)										
太陽能板-每件尺寸	176	1.755m x 1.038m x 0.035m										
太陽能系統控制房	1	6.1m x 4.9m x 6m										
(Please illustrate on plan the layout of the installation 請用圖則顯示裝置的布局)												

**(iv) For Type (iv) application 供第(iv)項申請**

(a) Please specify the proposed minor relaxation of stated development restriction(s) and also fill in the proposed use/development and development particulars in part (v) below –

請列明擬議略為放寬的發展限制並填妥於第(v)部分的擬議用途/發展及發展細節 –

- ☐ Plot ratio restriction From 由 ..... to 至 .....  
地積比率限制
- ☐ Gross floor area restriction From 由 .....sq. m 平方米 to 至 .....sq. m 平方米  
總樓面面積限制
- ☐ Site coverage restriction From 由 .....% to 至 ..... %  
上蓋面積限制
- ☐ Building height restriction From 由 .....m 米 to 至 ..... m 米  
建築物高度限制  
From 由 ..... mPD 米 (主水平基準上) to 至 .....mPD 米 (主水平基準上)  
From 由 ..... storeys 層 to 至 ..... storeys 層
- ☐ Non-building area restriction From 由 .....m to 至 ..... m  
非建築用地限制
- ☐ Others (please specify) .....  
其他 (請註明) .....

**(v) For Type (v) application 供第(v)項申請**

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

(Please illustrate the details of the proposal on a layout plan 請用平面圖說明建議詳情)

**(b) Development Schedule 發展細節表**

- Proposed gross floor area (GFA) 擬議總樓面面積 ..... sq.m 平方米 ☐ About 約
- Proposed plot ratio 擬議地積比率 ..... ☐ About 約
- Proposed site coverage 擬議上蓋面積 ..... % ☐ About 約
- Proposed no. of blocks 擬議座數 .....
- Proposed no. of storeys of each block 每座建築物的擬議層數 ..... storeys 層  
☐ include 包括 ..... storeys of basements 層地庫  
☐ exclude 不包括 ..... storeys of basements 層地庫
- Proposed building height of each block 每座建築物的擬議高度 ..... mPD 米(主水平基準上) ☐ About 約  
..... m 米 ☐ About 約

☐ Domestic part 住用部分

GFA 總樓面面積 ..... sq. m 平方米 ☐ About 約  
 number of Units 單位數目 .....  
 average unit size 單位平均面積 .....sq. m 平方米 ☐ About 約  
 estimated number of residents 估計住客數目 .....

☐ Non-domestic part 非住用部分

## GFA 總樓面面積

☐ eating place 食肆 ..... sq. m 平方米 ☐ About 約  
☐ hotel 酒店 ..... sq. m 平方米 ☐ About 約

(please specify the number of rooms  
 請註明房間數目) .....

☐ office 辦公室 ..... sq. m 平方米 ☐ About 約  
☐ shop and services 商店及服務行業 ..... sq. m 平方米 ☐ About 約

☐ Government, institution or community facilities  
 政府、機構或社區設施 (please specify the use(s) and concerned land  
 area(s)/GFA(s) 請註明用途及有關的地面面積／總  
 樓面面積)

.....  
 .....  
 .....

☐ other(s) 其他 (please specify the use(s) and concerned land  
 area(s)/GFA(s) 請註明用途及有關的地面面積／總  
 樓面面積)

.....  
 .....  
 .....

☐ Open space 休憩用地

(please specify land area(s) 請註明地面面積)

☐ private open space 私人休憩用地 ..... sq. m 平方米 ☐ Not less than 不少於  
☐ public open space 公眾休憩用地 ..... sq. m 平方米 ☐ Not less than 不少於

## (c) Use(s) of different floors (if applicable) 各樓層的用途 (如適用)

[Block number] [座數]	[Floor(s)] [層數]	[Proposed use(s)] [擬議用途]
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

## (d) Proposed use(s) of uncovered area (if any) 露天地方 (倘有) 的擬議用途

.....  
 .....  
 .....  
 .....  
 .....

**7. Anticipated Completion Time of the Development Proposal****擬議發展計劃的預計完成時間**

Anticipated completion time (in month and year) of the development proposal (by phase (if any)) (e.g. June 2023)

擬議發展計劃預期完成的年份及月份 (分期 (倘有)) (例: 2023 年 6 月)

(Separate anticipated completion times (in month and year) should be provided for the proposed public open space and Government, institution or community facilities (if any))

(申請人須就擬議的公眾休憩用地及政府、機構或社區設施 (倘有) 提供個別擬議完成的年份及月份)

2021年6月.....

.....

.....

.....

.....

**8. Vehicular Access Arrangement of the Development Proposal****擬議發展計劃的行車通道安排**

Any vehicular access to the site/subject building? 是否有車路通往地盤/有關建築物?	Yes 是          No 否	<input type="checkbox"/> There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用)) ..... <input type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示, 並註明車路的闊度) <input checked="" type="checkbox"/>
Any provision of parking space for the proposed use(s)? 是否有為擬議用途提供停車位?	Yes 是          No 否	<input type="checkbox"/> (Please specify type(s) and number(s) and illustrate on plan) 請註明種類及數目並於圖則上顯示 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) _____ _____ _____ <input checked="" type="checkbox"/>
Any provision of loading/unloading space for the proposed use(s)? 是否有為擬議用途提供上落客貨車位?	Yes 是          No 否	<input type="checkbox"/> (Please specify type(s) and number(s) and illustrate on plan) 請註明種類及數目並於圖則上顯示 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) _____ _____ _____ <input checked="" type="checkbox"/>

## 9. 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。

<p>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?</p>	<p>Yes 是</p> <p>No 否</p>	<p><input type="checkbox"/> Please provide details 請提供詳情</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>																													
<p>Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程? (Note: where Type (ii) application is the subject of application, please skip this section. 註：如申請涉及第(ii)類申請，請跳至下一條問題。)</p>	<p>Yes 是</p> <p>No 否</p>	<p><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)</p> <p><input type="checkbox"/> Diversion of stream 河道改道</p> <p><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</p> <p><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</p> <p><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</p>																													
<p>Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響?</p>	<table border="0"> <tr> <td>On environment 對環境</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On traffic 對交通</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On water supply 對供水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On drainage 對排水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On slopes 對斜坡</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Affected by slopes 受斜坡影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Landscape Impact 構成景觀影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Tree Felling 砍伐樹木</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Visual Impact 構成視覺影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Others (Please Specify) 其他 (請列明)</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> </table> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <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) 請註明盡量減少影響的措施。如涉及砍伐樹木，請說明受影響樹木的數目、及胸高度的樹幹直徑及品種(倘可)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>	On environment 對環境	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On traffic 對交通	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On water supply 對供水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On drainage 對排水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On slopes 對斜坡	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Affected by slopes 受斜坡影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Landscape Impact 構成景觀影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Tree Felling 砍伐樹木	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Visual Impact 構成視覺影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>
On environment 對環境	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													
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Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													



**10. 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。

申請理由如下：

1. 目前為閒置土地，為可善用土地作有意義使用

2. 支持環保及宣揚環保意識

3. 配合政府推動的環保能源

4. 配合政府及兩電公司的可再生能源上網電價計劃

## 11. 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

YUEN CHOLENE

Name in Block Letters  
姓名 (請以正楷填寫)

Director  
Position (if applicable)  
職位 (如適用)

Professional Qualification(s)  
專業資格

- ☐ Member 會員 / ☐ Fellow of 資深會員  
☐ HKIP 香港規劃師學會 / ☐ HKIA 香港建築師學會 /  
☐ HKIS 香港測量師學會 / ☐ HKIE 香港工程師學會 /  
☐ HKILA 香港園境師學會 / ☐ HKIUD 香港城市設計學會

Others 其他

on behalf of  
代表

Swiss Caviar House (Asia) Limited

For and on behalf of  
SWISS CAVIAR HOUSE (ASIA) LIMITED  
瑞士魚子醬(亞洲)有限公司

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

Authorized Signature(s)

Date 日期

3rd Feb 2021

(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

- 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：  
  - 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
  - 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。
- 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。
- 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。

**For Developments involving Columbarium Use, please also complete the following:**  
**如發展涉及靈灰安置所用途，請另外填妥以下資料：**

**Ash interment capacity 骨灰安放容量<sup>②</sup>**

Maximum number of sets of ashes that may be interred in the niches

在龕位內最多可安放骨灰的數量

Maximum number of sets of ashes that may be interred other than in niches

在非龕位的範圍內最多可安放骨灰的數量

**Total number of niches 龕位總數**

Total number of single niches

單人龕位總數

Number of single niches (sold and occupied)

單人龕位數目 (已售並佔用)

Number of single niches (sold but unoccupied)

單人龕位數目 (已售但未佔用)

Number of single niches (residual for sale)

單人龕位數目 (待售)

Total number of double niches

雙人龕位總數

Number of double niches (sold and fully occupied)

雙人龕位數目 (已售並全部佔用)

Number of double niches (sold and partially occupied)

雙人龕位數目 (已售並部分佔用)

Number of double niches (sold but unoccupied)

雙人龕位數目 (已售但未佔用)

Number of double niches (residual for sale)

雙人龕位數目 (待售)

Total no. of niches other than single or double niches (please specify type)

除單人及雙人龕位外的其他龕位總數 (請列明類別)

Number of niches (sold and fully occupied)

龕位數目 (已售並全部佔用)

Number of niches (sold and partially occupied)

龕位數目 (已售並部分佔用)

Number of niches (sold but unoccupied)

龕位數目 (已售但未佔用)

Number of niches (residual for sale)

龕位數目 (待售)

**Proposed operating hours 擬議營運時間**

② Ash interment capacity in relation to a columbarium means –

就靈灰安置所而言，骨灰安放容量指：

- the maximum number of containers of ashes that may be interred in each niche in the columbarium;  
每個龕位內可安放的骨灰容器的最高數目；
- the maximum number of sets of ashes that may be interred other than in niches in any area in the columbarium; and  
在該靈灰安置所並非龕位的範圍內，總共最多可安放多少份骨灰；以及
- the total number of sets of ashes that may be interred in the columbarium.  
在該靈灰安置所內，總共最多可安放多少份骨灰。

## 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	DD112 LOT 363A Yuen Long		
Site area 地盤面積	781.5	sq. m 平方米 <input checked="" type="checkbox"/> About 約	
	(includes Government land of 包括政府土地	sq. m 平方米 <input type="checkbox"/> About 約)	
Plan 圖則	石崗分區計劃大綱圖 - S/YL - SK/9		
Zoning 地帶	農業		
Applied use/ development 申請用途/發展	擬議公用事業設施裝置 (太陽能系統 - 可再生能源上網電價)		
(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	30 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
(ii) No. of block 幢數	Domestic 住用		
	Non-domestic 非住用	1	
	Composite 綜合用途		

(iii) Building height/No. of storeys 建築物高度/層數	Domestic 住用		m 米 <input type="checkbox"/> (Not more than 不多於)
			mPD 米(主水平基準上) <input type="checkbox"/> (Not more than 不多於)
			Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於) ( <input type="checkbox"/> Include 包括/ <input type="checkbox"/> Exclude 不包括 <input type="checkbox"/> Carport 停車間 <input type="checkbox"/> Basement 地庫 <input type="checkbox"/> Refuge Floor 防火層 <input type="checkbox"/> Podium 平台)
	Non-domestic 非住用	4.9	m 米 <input checked="" type="checkbox"/> (Not more than 不多於)
			mPD 米(主水平基準上) <input type="checkbox"/> (Not more than 不多於)
		1	Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於) ( <input checked="" type="checkbox"/> Include 包括/ <input type="checkbox"/> Exclude 不包括 <input type="checkbox"/> Carport 停車間 <input type="checkbox"/> Basement 地庫 <input type="checkbox"/> Refuge Floor 防火層 <input type="checkbox"/> Podium 平台)
	Composite 綜合用途		m 米 <input type="checkbox"/> (Not more than 不多於)
			mPD 米(主水平基準上) <input type="checkbox"/> (Not more than 不多於)
			Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於) ( <input type="checkbox"/> Include 包括/ <input type="checkbox"/> Exclude 不包括 <input type="checkbox"/> Carport 停車間 <input type="checkbox"/> Basement 地庫 <input type="checkbox"/> Refuge Floor 防火層 <input type="checkbox"/> Podium 平台)
(iv) Site coverage 上蓋面積	% <input type="checkbox"/> About 約		
(v) No. of units 單位數目			
(vi) Open space 休憩用地	Private 私人	sq.m 平方米 <input type="checkbox"/> Not less than 不少於	
	Public 公眾	sq.m 平方米 <input type="checkbox"/> Not less than 不少於	

(vii) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數  Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明) _____	
	Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位／停車處總數  Taxi Spaces 的士車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明) _____	

### Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件

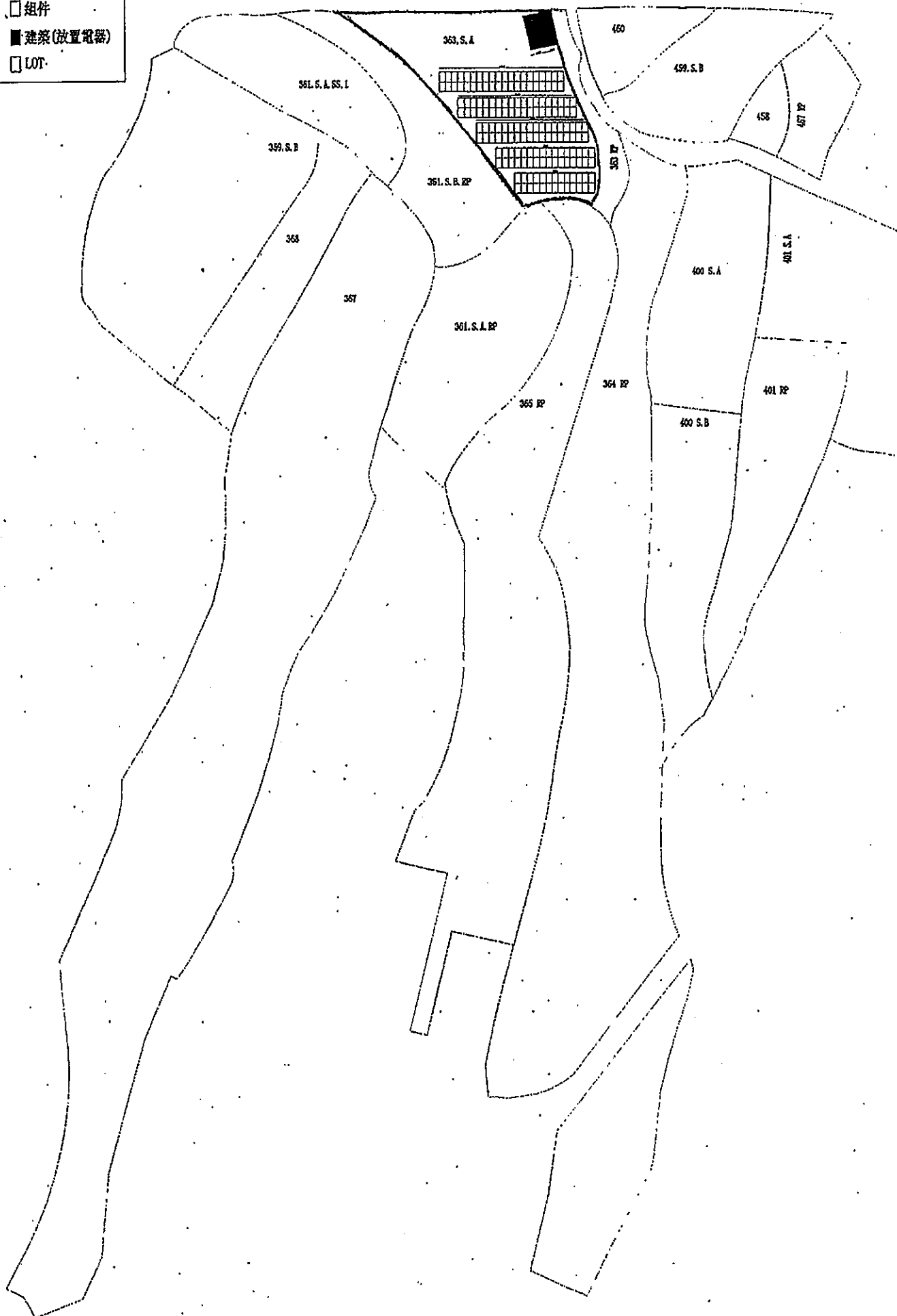
	Chinese 中文	English 英文
<b>Plans and Drawings 圖則及繪圖</b>		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input type="checkbox"/>
Sectional plan(s) 截視圖	<input checked="" 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) 位置圖	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Reports 報告書</b>		
Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估 (噪音、空氣及／或水的污染)	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input type="checkbox"/>

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

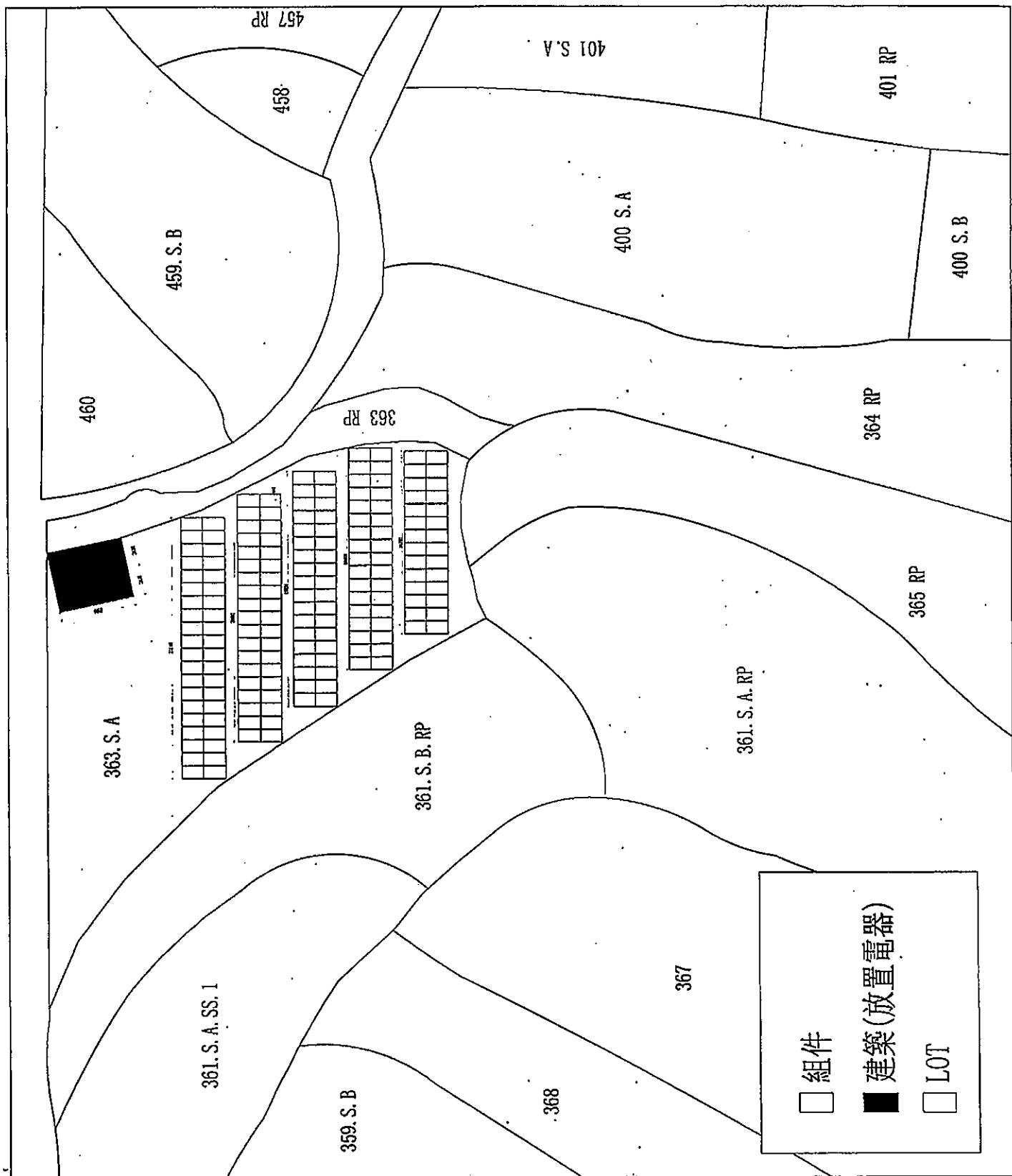
Note: The information in the Gist of Application above is provided by the applicant for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In 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。

- 组件
- 建築(放置電器)
- LOT









2021年 2月 23日  
此文件在收到・城市規劃委員會  
只會在收到所有必要的資料及文件後才正式確認收到  
申請的項目。

This document is received on 23 FEB 2021  
The Town Planning Board will formally acknowledge  
the date of receipt of the application only upon receipt  
of all the required information and documents.

27 October 2020

SWISS CAVIAR HOUSE (ASIA) LIMITED

中環電力有限公司  
CLP Power Hong Kong Limited  
企業客戶服務部  
Corporate Customer Experience (CCF)

**Attention:** Gary Tsang

CLP Electricity :  
Account Number

Application No. :  
*Please quote our application number whenever you correspond with us about this application*

Dear Gary Tsang,

**CLP Renewable Energy Feed-in Tariff (FIT) Scheme – Application Acknowledgment Letter**  
**Renewable Energy System at DD 112 LOT 363-460, SHUI LAU TIN TSUEN, PAT HEUNG YUEN**  
**LONG with a Total Generation Capacity of 20.00 kW**

Thank you for your application to take part in CLP Renewable Energy Feed-in Tariff (FIT) Scheme. This is a major community initiative to promote renewable energy in Hong Kong and we greatly appreciate your support.

We received your FIT Application Form and all the preliminary supporting documents on 10 September 2020. Please be advised that the renewable energy system referred to in your application will be considered as a single system with a total generation capacity of 20.00 kW.

Your provisional FIT rate, following the prevailing rate published on our website on 10 September 2020, is set out below together with the validity period of each FIT rate:

Renewable energy system	Generation capacity (kW)	Provisional FIT rate (HK\$/kWh)	Validity period (expiry date)
New solar system at DD 112 LOT 363-460, SHUI LAU TIN TSUEN, PAT HEUNG YUEN LONG, NEW TERRITORIES	20.00 (Three-phase)	4.00	12 months (expire on 26 October 2021)

We will conduct a technical assessment of your FIT Scheme application. Please refer to the attachment and submit the supplementary information required.

We would also like to remind you that, according to the FIT Scheme Terms and Conditions, all the electricity generated by the renewable energy system under the Scheme will be sold to CLP and Scheme participants are restricted in claiming emissions reduction benefits that may arise from the renewable energy system. Scheme participants who wish to claim emissions reduction benefits may consider purchasing CLP Renewable Energy Certificates. Please contact your Account Manager for details.

Thank you once again for supporting this meaningful scheme to encourage the use of green energy in Hong Kong.



If you have any questions, please do not hesitate to contact your Account Manager, Lam, Hon Sing on.

Yours sincerely,

Auyang, Victor Wai Keung  
Corporate Customer Experience Manager – SME Accounts  
For and on behalf of  
CLP Power Hong Kong Limited

### FIT Scheme Technical Assessment Guidance Notes

Please read and follow these instructions to submit the required documents and install and test your renewable energy system so as to complete your FIT Scheme application.

1. We will send you an email to inform you of the documents you need to submit for review. Please submit the required documents as instructed in the email.
2. Once we have received the required documents, we will give you the contact information of the CLP engineer assigned to your FIT Scheme application.
3. The CLP engineer will advise you with respect to the design of your renewable energy system and the associated electrical installations, when necessary, to ensure compliance with CLP's technical requirements.
4. Once your FIT Scheme application has been fully reviewed, the CLP engineer will inform you of the review result. Based on the result and our recommendations, you may then start the installation of your renewable energy system. In order to ensure that your renewable energy system and the associated electrical installations comply with CLP's technical requirements, **we recommend you not to start installing your renewable energy system until you have been notified of the review result.**
5. After you have completed the installation of your renewable energy system, you are required to submit the Test and Commissioning (T&C) report to the CLP engineer.
6. If the T&C report is accepted, the CLP engineer will witness on-site tests of your renewable energy system accordingly. You should employ and arrange a qualified registered electrical contractor to conduct the required tests and submit the signed work completion certificate (Form WR1) to us.
7. We will issue a Completion Letter to you if all required tests have been completed and we agree for the renewable energy system to be connected to the CLP network. The Completion Letter will confirm the FIT rate applicable to your renewable energy system and the commencement date and end date of the FIT Scheme agreement.

**Note:**

- The renewable energy system shall not be connected to the CLP network until all required tests have been completed to our satisfaction and in accordance with the FIT Scheme Terms and Conditions and any applicable safety and technical requirements.
- Upon request from the Government, we will ask you to provide details of the project cost breakdown together with copies of any available supporting documents (such as invoices). By providing the information to us, you consent to us passing the information to the Government for data analysis purposes.
- Please be reminded that the design, installation, operation and maintenance of your renewable energy system should comply with all applicable laws, regulations, guidelines, and safety and technical requirements.

If you have any questions regarding technical requirements, please do not hesitate to contact Ms. Lee Tang Fong on 25248865.

Monday, May 24, 2021

Application Number : S.16 Application No. A/YL-SK/302

Your Ref : TPB/A/YL-SK/302

The Secretary of Town Planning Board

15th Floor, North Point Government Offices, 333 Java Road, North Point

Attn : Mr Raymond Kan

**Re: Further Information submission and Apply for TPB meeting**

Dear Mr Kan,

Regarding the Proposed Public Utility Installation (Solar Energy System) in "Agriculture" Zone, Lot 363 S.A. in DD 112, Shek Kong, Yuen Long application, we are hereby formally to submission of further information on the final responses and requested drawings inbetween 1) Planning Department, 2) Chief Town Planner/Urban Design & Landscape, Planning Department 3) Transport Department and 4) Security Bureau for your reference.

We are very appreciative if we can have at the earliest Town Planning Board meeting for the approval of our application.

For further enquiries, please do not hesitate to contact us. (T: +44 (0)1223 326000 direct, MB: +44 (0)1223 326001 ext. 200, Email: [info@cam.ac.uk](mailto:info@cam.ac.uk))

Thank you for your kind attention.

Best Regards

Yours faithfully,

For and on behalf of

**Swiss Caviar House (Asia) Limited**

Director

Cc : Mr Boris Lai, Planning Department

, CEO

- Legal Advisor

– Engineering Advisor



**Attachment :**

The Submission of Further Information :

**1. Planning Department:**

- Clarifications on filling of land and location of solar panels on 4.3.2021
- Clarifications on the names of the structures on layout plans and the purpose of remaining spaces on 7.4.2021 and 8.4.2021
- Final Responses to Comments on 10.5.2021

**2. Chief Town Planner/Urban Design & Landscape, Planning Department:**

- Responses to comments on 11.4.2021 (explanation) and 13.5.2021 (visual illustration)
- Final Responses to Comments on 17.5.2021

**3. Transport Department:**

- Responses to comments on 7.4.2021 (two emails) and 23.4.2021 (with 3D illustration tally with the finalized visual illustration)

**4. Security Bureau:**

- Responses to comments on 2.3.2021 and 3.3.2021 (two emails)

- **Clarifications on filing of land and location of solar panels on 4.3.2021**

**Enquiry**

jtblai@pland.gov.hk 於 2021 年 3 月 4 日 09:31 寫道：

**Reply:**

Re: S.16 Application No. A/YL-SK/302 – Clarifications

Date : 04/03/2021 11:23

From: '

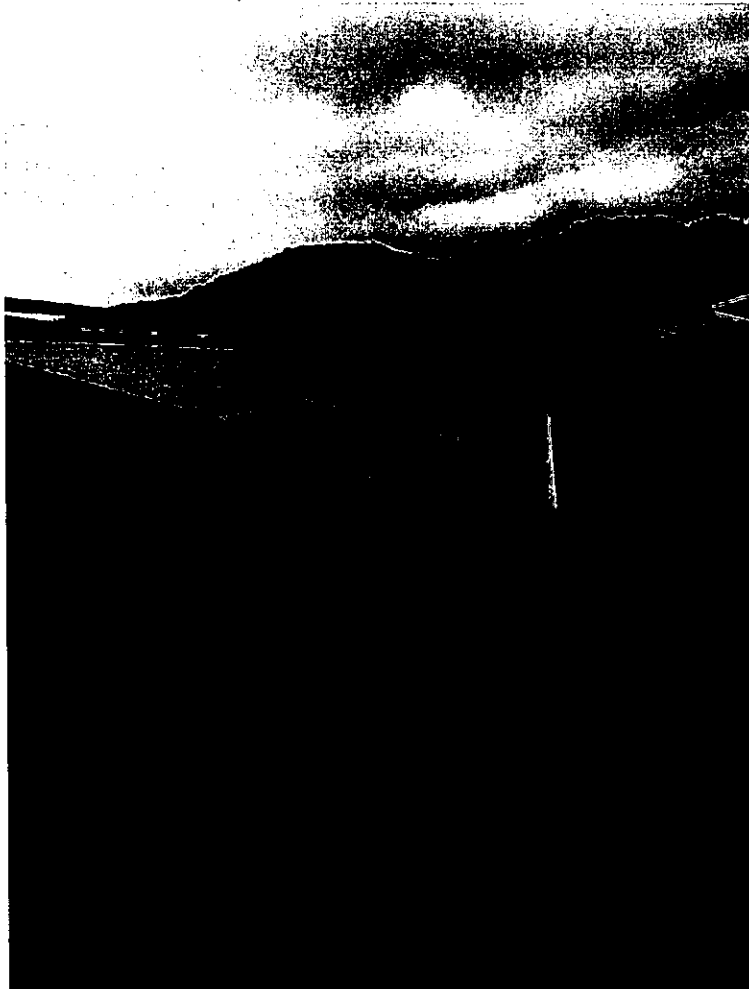
To: jtblai@pland.gov.hk

Cc: , jpkwong@pland.gov.hk

Dear Boris

Please noted that we don't have any plans of filling lands.

Solar Panels will be installed with aluminum/galvanized steel mounting and the total height will not higher than 1.5m. Please see attached pic. for your easy understanding.



At the end of the construction, perhaps we will then make some concrete bricks at the foot of the mounting poles for enhancing the strength of the structure. Therefore, there will not be any change of land or elevation of ground level as well as no other substance will be mixed or placed on ground.

Hope I can make you a bit more understanding of the designs. If you have any further questions, please let me know at once,  
thanks.

Engineering Consultant of the Applicant



- **Clarifications on the names of the structures on layout plans and the purpose of remaining spaces on 7.4.2021 and 8.4.2021**

**Enquiry**

jtblai@pland.gov.hk 於 2021 年 4 月 1 日下午 2:44 寫道：

Dear both,

I refer to the captioned Section 16 application.

Please note the comments of the Chief Town Planner / Urban Design & Landscape, Planning Department as below for your responses/ information:

- the applicant is advised to submit visual illustration to demonstrate how the proposed solar energy system would not result in significant adverse visual impact to the surrounding environment;
- the Site of about 781.5m<sup>2</sup> falls within the "AGR" zone on the respective OZP and is situated in an area surrounded by temporary structures and village type development of 1 to 3 storeys and some agricultural land, which is predominantly rural in character; and
- the current application seeks planning permission for a proposed solar energy system involving 176 solar panels (1.755m long x 1.038m width x 0.035m high each) and a single storey solar energy control room (about 6m high). According to the Assessment Criteria for Considering Applications for Solar Photovoltaic System (SPV) made under Section 16 of the Town Planning Ordinance promulgated by Town Planning Board in July 2020, the height of the proposed structures should be in keeping with the surrounding area/developments and the applicant has to demonstrate that such SPV system will not have significant adverse visual impacts which would catch the public's visual attention due to the scale and prominence of the proposed installation.

Thanks.

Regards,

Boris

**Reply:**

Re: S.16 Application No. A/YL-SK/302 - Clarifications (CTP/UD&L, PlandD)

Date : 07/04/2021 12:04

Fm : jtblai@pland.gov.hk

To : jpkwong@pland.gov.hk

Dear Boris,

- whether the "組件" and "建築(放置電器)" as in the attached drawings refer to the "太陽能板" and "太陽能系統控制房" as mentioned in the application form respectively, and to update the drawings for consistency if they refer to the same things; and
- the area of the Site not covered by either solar panels or the 太陽能系統控制房, and the purpose of such spaces (especially the north-western part of the Site).

*Please see attached (302 Floorplan) and the area of the site not covered will be the key entrance of the site, and there is no further plan of modification at the moment*

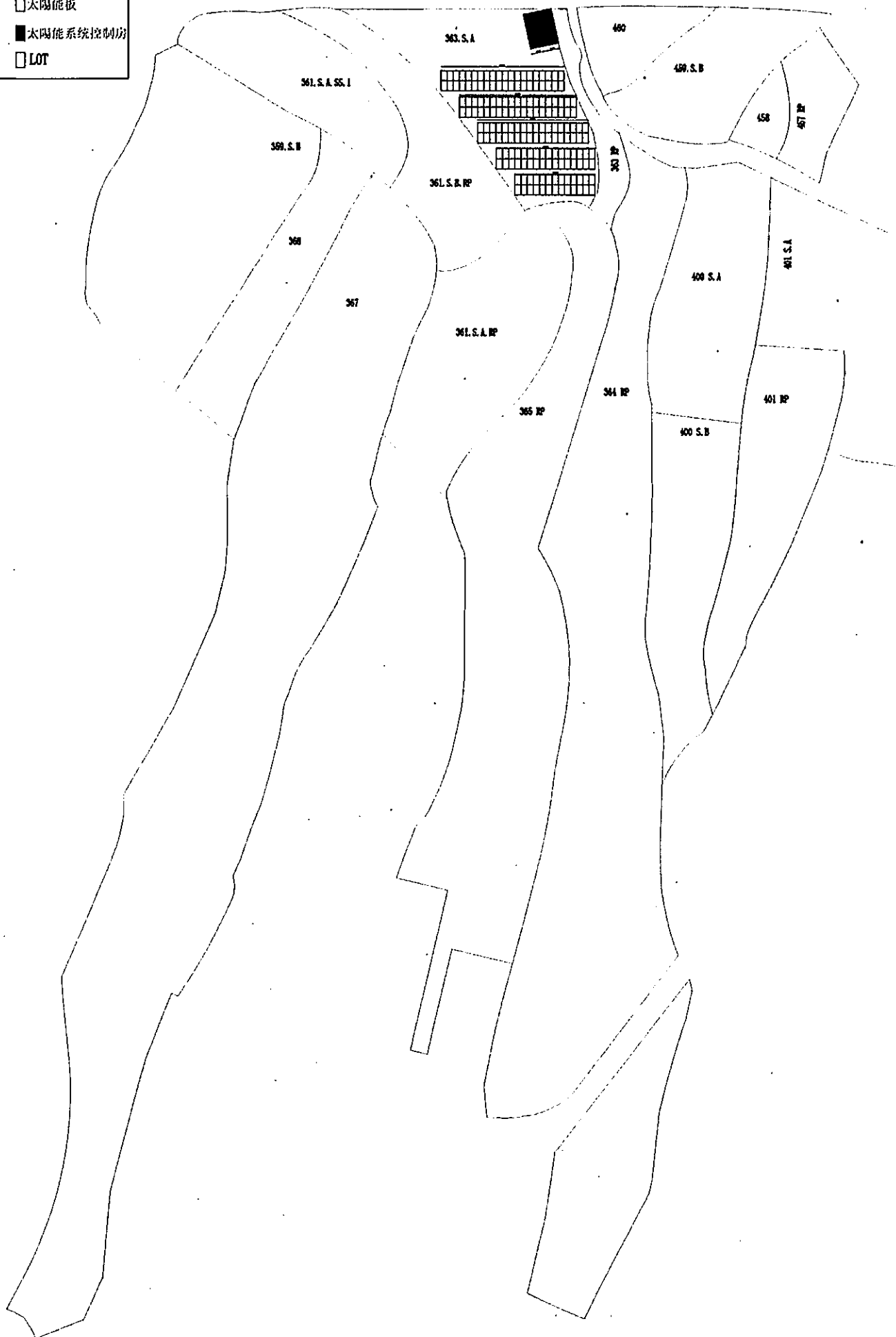
Best Regards,

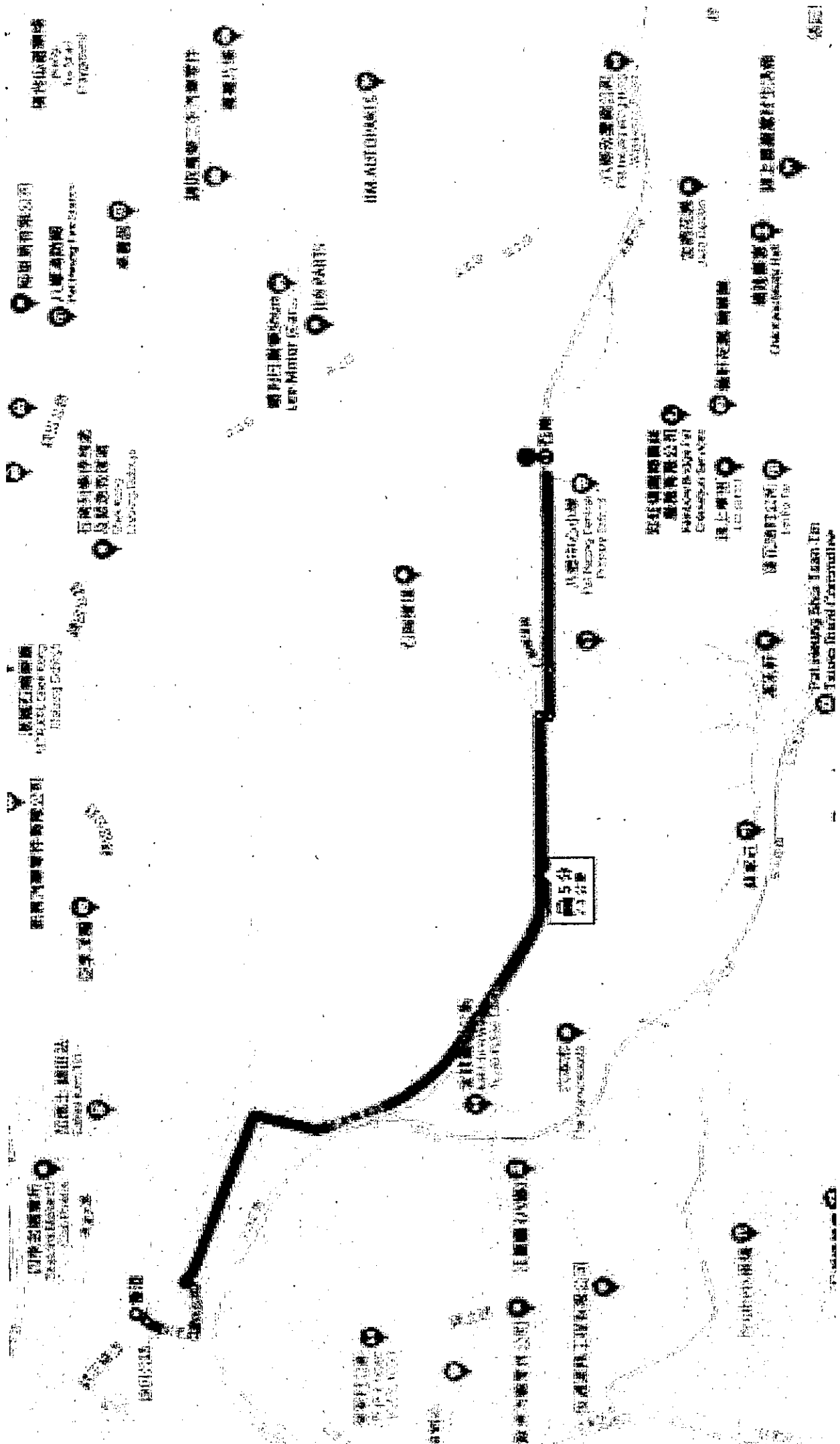
4 attachments

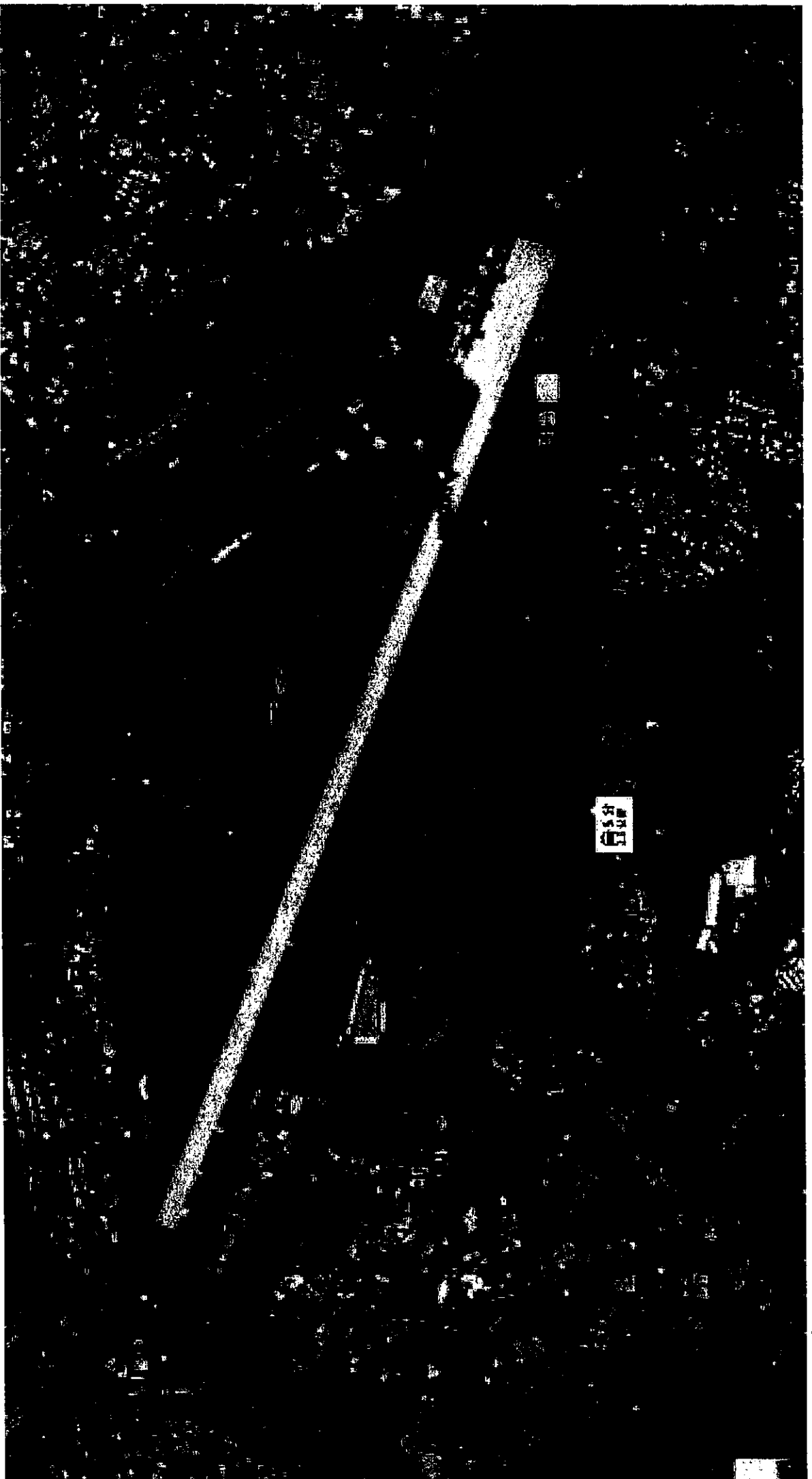


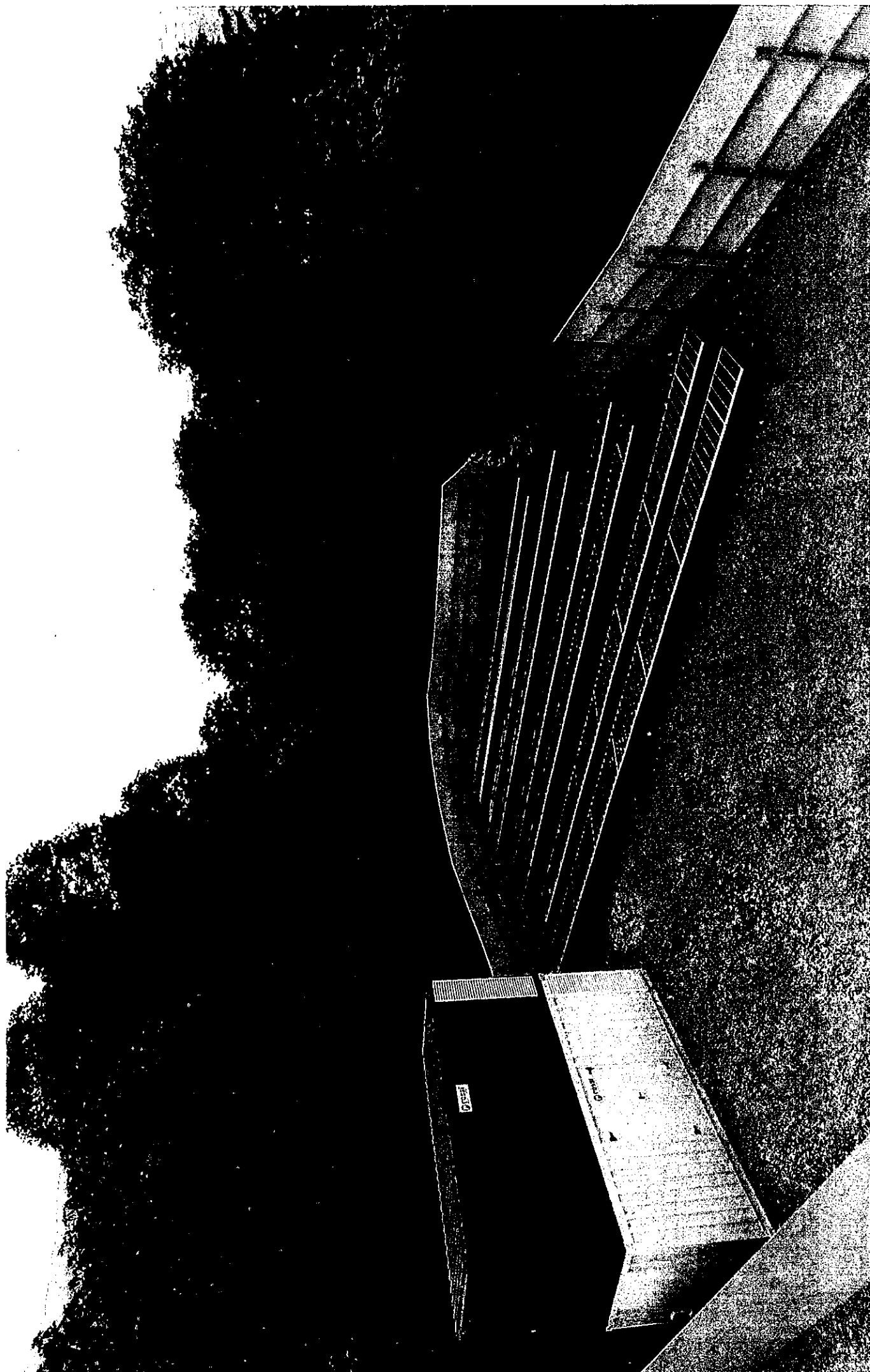
attachment 302 F302 Floorplloorplan.pdfan.pdf mime-attachment.pngmime-attachment.png  
1-2-2.jpg

- ☐ 太阳能板
- 太阳能系统控制房
- LOT









**Enquiry**

tblai@pland.gov.hk 於 2021 年 4 月 7 日下午 12:17 寫道：

Dear ,

Please note that two layout plans are submitted together with the application form. Please update the legends in both drawings.

Thanks,

Boris

**Reply**

Re: S.16 Application No. A/YL-SK/302 - Clarifications (CTP/UD&L, PlandD)

Date : 08/04/2021 13:48

Fm :

TO : jtblai@pland.gov.hk

CC : , [jpkwong@pland.gov.hk](mailto:jpkwong@pland.gov.hk)

Dear Boris, please see attached with thanks.

Best Regards,

1 attachment

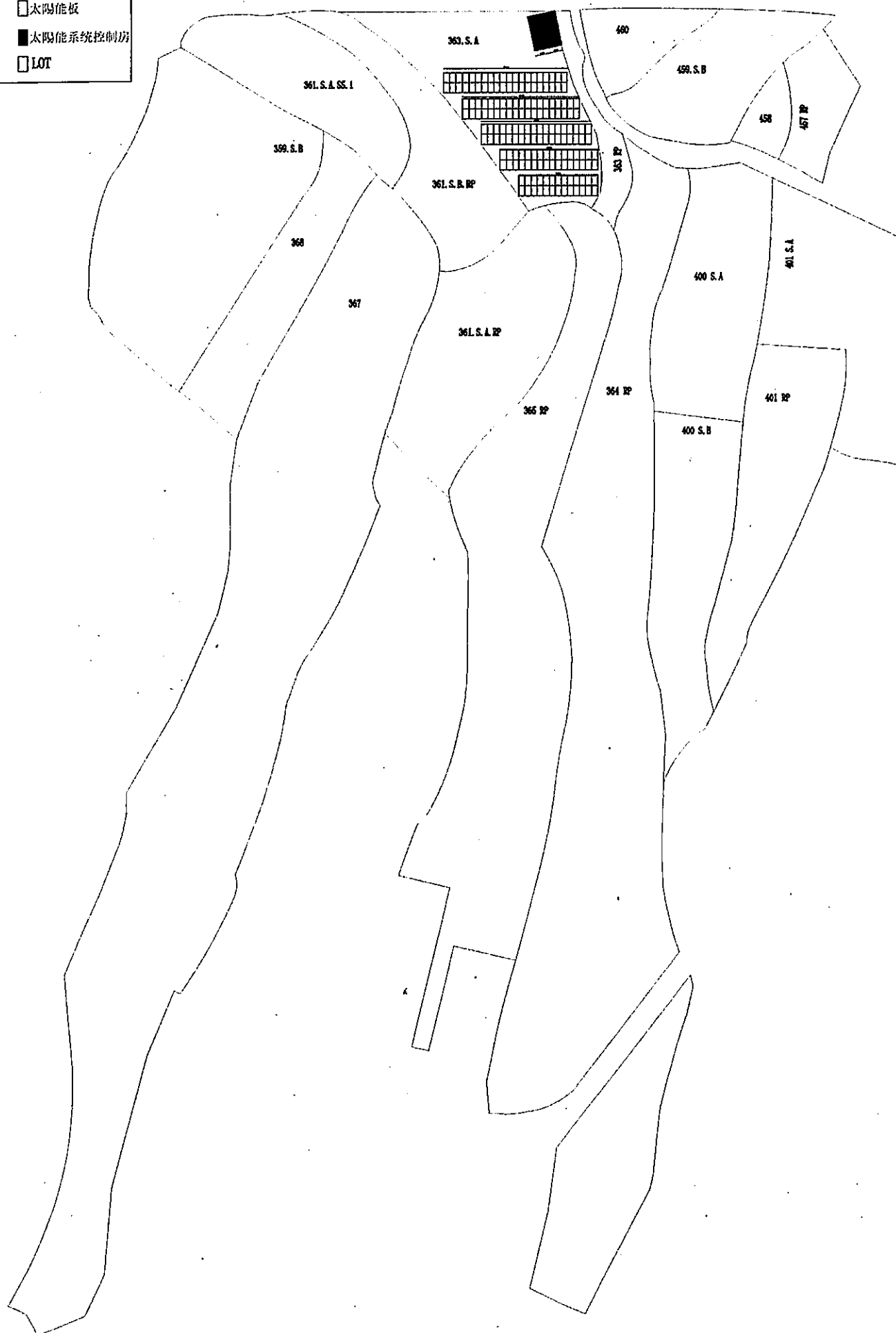


香港农棚布置图-0407.pdf

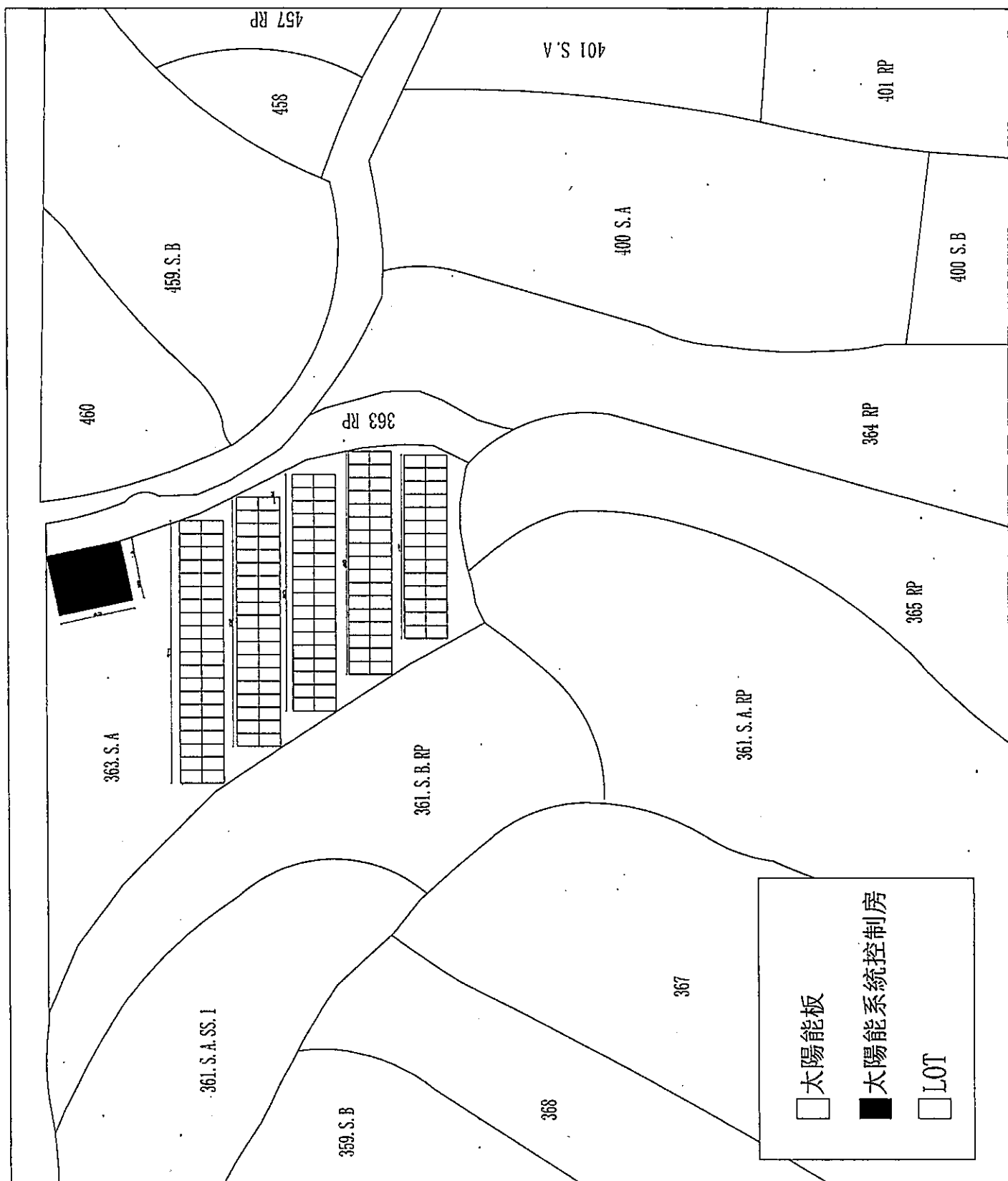
☐ 太阳能板

■ 太阳能系统控制房

☐ LOT







**Final Comments from Chief Town Planner/Urban Design & Landscape, Planning  
Department 17.5.2021**

2021 年 5 月 17 日 上午 11:27

Fm :

To : jtblai@pland.gov.hk

Copy : jpkwong@pland.gov.hk,

Dear Boris,

Shirley Kong reverted a call to me and said the picture is fine already.

May I know the schedule of the meeting on coming?

Best Regards,

太陽能控制室



**Chief Town Planner/Urban Design & Landscape, Planning Department**  
**Repsonses to comments 13.5.2021 (Visual Illustration)**

Fm :

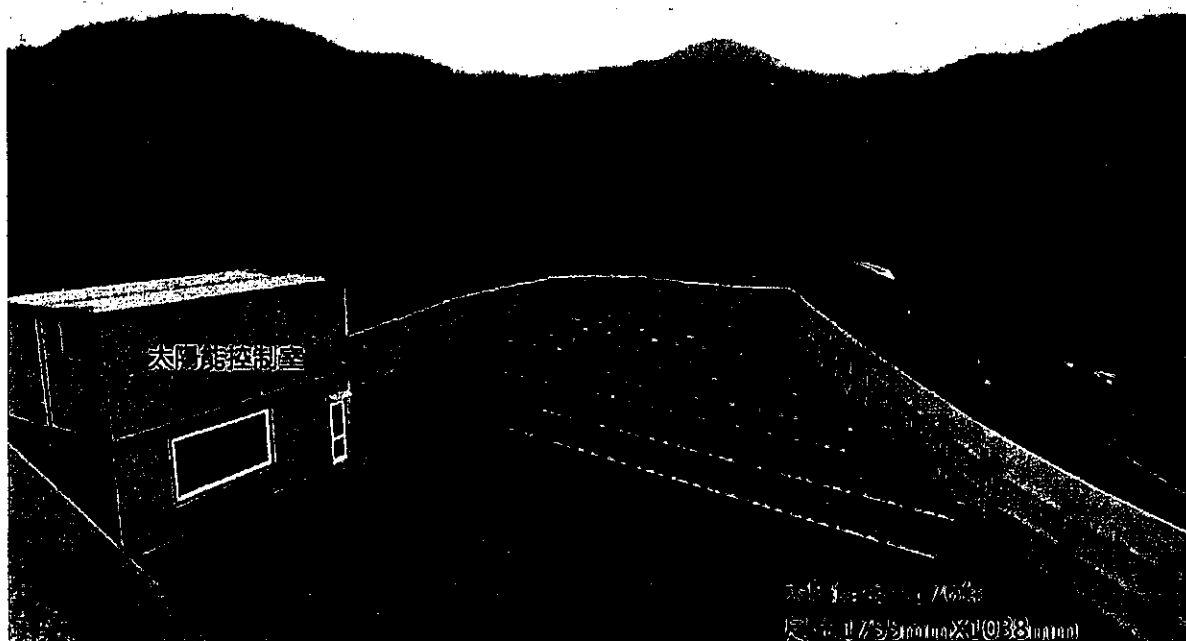
To : jtblai@pland.gov.hk

Copy : jpkwong@pland.gov.hk,

Date : 2021年5月13日 下午3:00

Dear Boris,

Please send this revised picture to Shirley Kong thanks



Chief Town Planner/Urban Design & Landscape, Planning Department – Ms Shirley Kong  
Responses to comments on 11.4.2021 (explanation)

Reply

From:

To: [jtblai@pland.gov.hk](mailto:jtblai@pland.gov.hk)

Cc: [jpkwong@pland.gov.hk](mailto:jpkwong@pland.gov.hk)

Date: 11/04/2021 17:03

Subject: Re: S.16 Application No. A/YL-SK/302 - Clarifications (CTP/UD&L, PlandD)

---

Dear Boris,

Please see the revised visual illustration for your perusal.

As the solar panels will be setting up on the ground and the total height of the solar panels will not exceed 1.5 meter, besides, A fence with a height of 2.5 meters will be installed around the location. Therefore, we believe it won't cause any visual impact



Best Regards,

**Transport Department**

**Final Responses to comments on 10.5.2021**

jtblai@pland.gov.hk <jtblai@pland.gov.hk>

收件者：

副本：jpkwong@pland.gov.hk,

2021 年 5 月 10 日 下午 2:31

Dear

Please find below the comments from the Transport Department (TD) for your information please.

***"he has no further comment on the application from traffic engineering perspective; and the Site is connected to the public road network via a section of a local access road which is not managed by TD. The land status of the local access road should be checked with the Lands Department (LandsD). Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly."***

Thanks.

Best regards,

Boris

**Transport Department**

**1) Responses to comments on 7.4.2021 (1st email)**

**Enquiry**

[jtblai@pland.gov.hk](mailto:jtblai@pland.gov.hk) 於 2021 年 4 月 7 日 14:55 寫道：

Dear

Please find below the further comments of Transport Department for your response please.

"(a) The regular maintenance on yearly basis is noted. However, the applicant should clarify if there is any space for parking or loading / unloading of such maintenance vehicles."

Thanks.

Best regards,

Boris

**Reply**

From:

To: [jtblai@pland.gov.hk](mailto:jtblai@pland.gov.hk)

Cc: [jpkwong@pland.gov.hk](mailto:jpkwong@pland.gov.hk),

Date: 07/04/2021 15:18

Subject: Re: S.16 Application No. A/YL-SK/302 - Clarifications (TD)

---

Dear Boris,

Yes, there will be reserved some areas for parking inside the location.

**Reponses to comments on 7.4.2021 (2nd email)**

**Enquiry**

----- Forwarded by Boris J.T. LAI/PLAND/HKSARG on 01/04/2021 11:29 -----

From: Boris J.T. LAI/PLAND/HKSARG  
To: \_\_\_\_\_  
Cc: Jeffrey Po Kit WONG/PLAND/HKSARG@PLAND  
Date: 30/03/2021 16:48  
Subject: S.16 Application No. A/YL-SK/302 - Clarifications

---

Furthermore, please provide your response to the comments of Transport Department as below:

- The applicant should provide the routing between either Shek Kong Airfield Road / Kam Sheung Road and the Site; and
- The applicant should clarify if the proposed application would induce traffic due to maintenance.

Many thanks.

Regards,

Boris

**Reply**

From: \_\_\_\_\_  
To: [jtblai@pland.gov.hk](mailto:jtblai@pland.gov.hk)  
Cc: [jpkwong@pland.gov.hk](mailto:jpkwong@pland.gov.hk)  
Date: 07/04/2021 12:04  
Subject: Re: S.16 Application No. A/YL-SK/302 - Clarifications (CTP/UD&L, PlandD)

---

....

Please see below routing for easy understanding. Besides, since the system is not necessary to give maintenance in routine basis but couple times in yearly basis, we believe it won't induce any traffic by the application in the future.

[attachment "mime-attachment.png" deleted by Boris J.T. LAI/PLAND/HKSARG] [attachment "mime-attachment.png" deleted by Boris J.T. LAI/PLAND/HKSARG]

Best Regards,



**Transport Department:**

**2) 3D Illustration tally with the finalized visual illustration 23.4.2021**

**Enquiry**

<jtblai@pland.gov.hk> 於 2021 年 4 月 22 日週四 上午 9:40 寫道：

Dear

Please find below the further comments of the Transport Department for your response please.

- "(a) The applicant should clarify the type of vehicles to be used for maintenance;
- (b) The applicant should demonstrate the smooth maneuvering of vehicles to / from Shek Kong Airfield Road, along the local access and within the site; and
- (c) The applicant should clarify if there is any designated space for loading / unloading operation."

Thanks.

Best regards,

Boris

**Reply**

From:

To: [jtblai@pland.gov.hk](mailto:jtblai@pland.gov.hk)

Cc: [jpkwong@pland.gov.hk](mailto:jpkwong@pland.gov.hk)

Date: 23/04/2021 18:01

Subject: Re: S.16 Application No. A/YL-SK/302 - Clarifications (TD)

---

Dear Boris

Good afternoon.

Regarding the comments from the Transportation Department, please find the below additional information.

(a) The applicant should clarify the type of vehicles to be used for maintenance;  
The maintenance service will one time a year and the vehicle will use a private car or minivan on site visit. In emergency cases for maintenance, the technician will take a private vehicle or by taxi to our site.

(b) The applicant should demonstrate the smooth manoeuvring of vehicles to / from Shek Kong Airfield Road, along the local access and within the site; and

(c) The applicant should clarify if there is any designated space for loading / unloading operation.

By One 5.5T Lorry on One time delivery of solar panel and facilities (gross weight less than 2 Tons)

The diagram 1 & 2 shows the route to/from Shek Kong Airfield Road and Kam Shui North Road

And the diagram 3 & 4 is located in the loading and unloading area which has enough space for operation. All these activities are within our land area Lot 460, and should be not concerned about the closed road requirement.

We will very much appreciate it if the above arrangement can consider and satisfy the regulation on our application.

For further enquiries, please don't hesitate to contact us.

Thank you for your kind attention.

Have a nice weekend.

Best regards

on behalf of The Applicant  
Swiss Caviar House (Asia) Limited

Attached 4 Pages Diagrams

Diagram 1

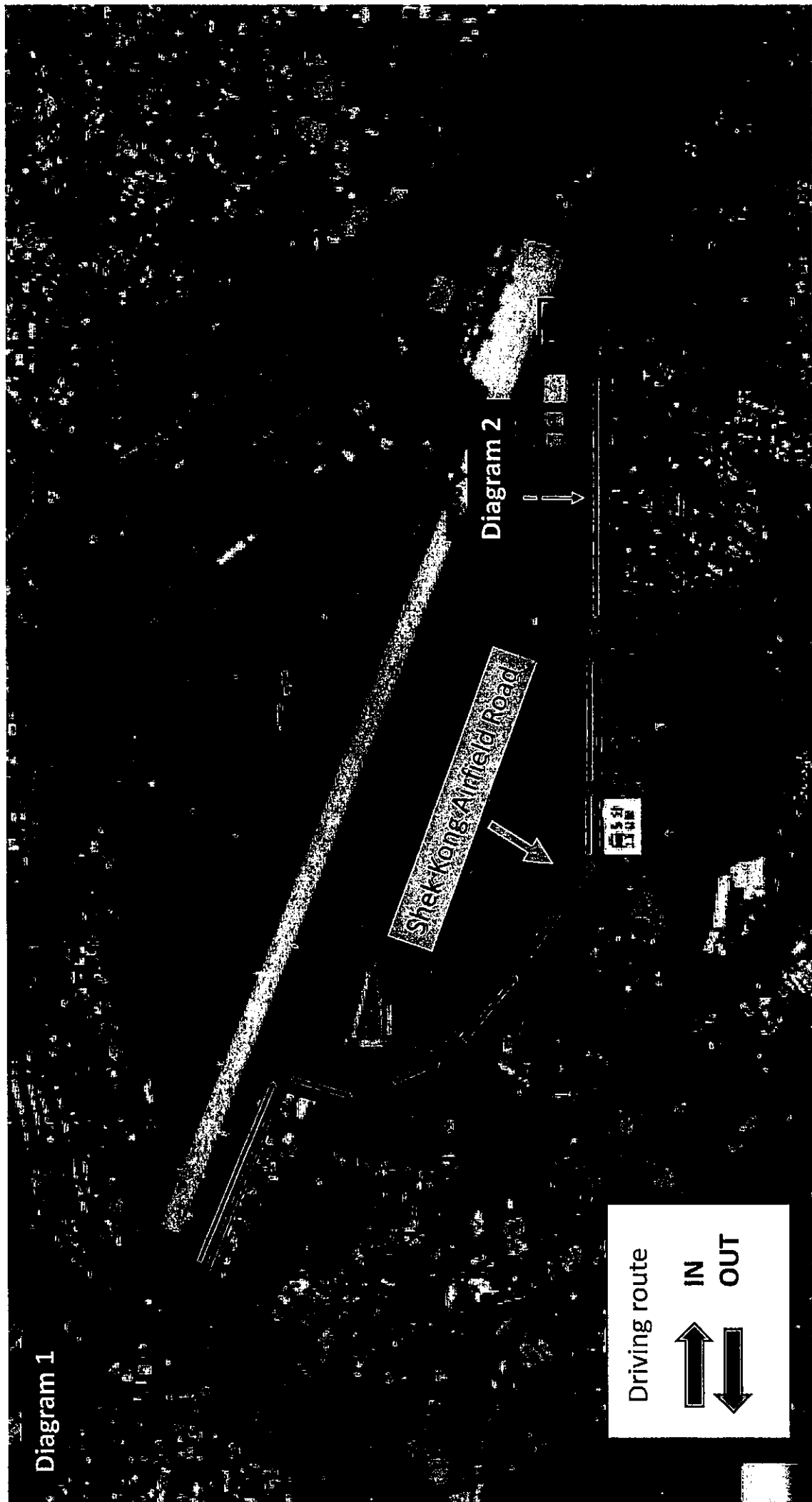


Diagram 2



Diagram 2



Driving route



Diagram 3 – 3D View

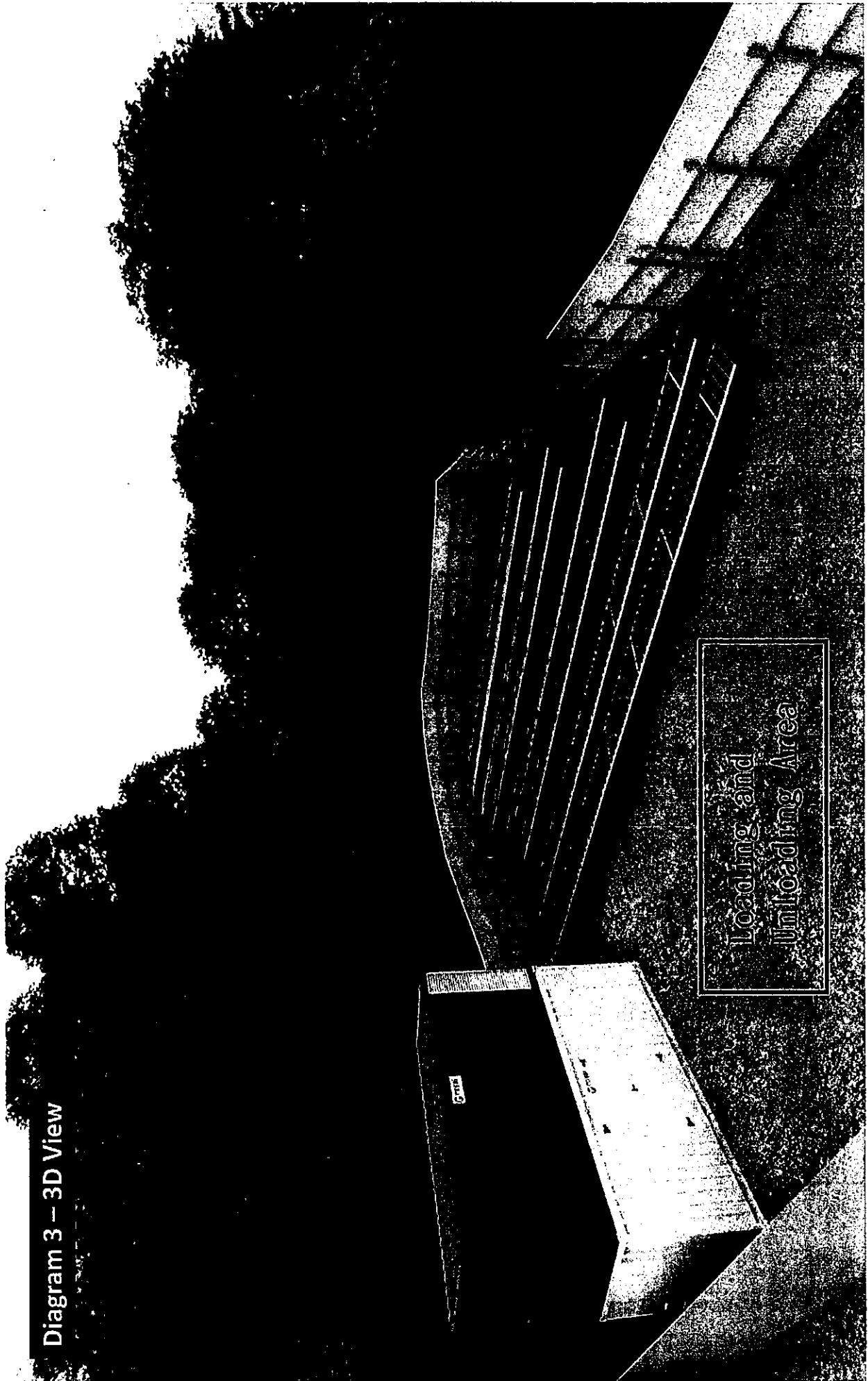
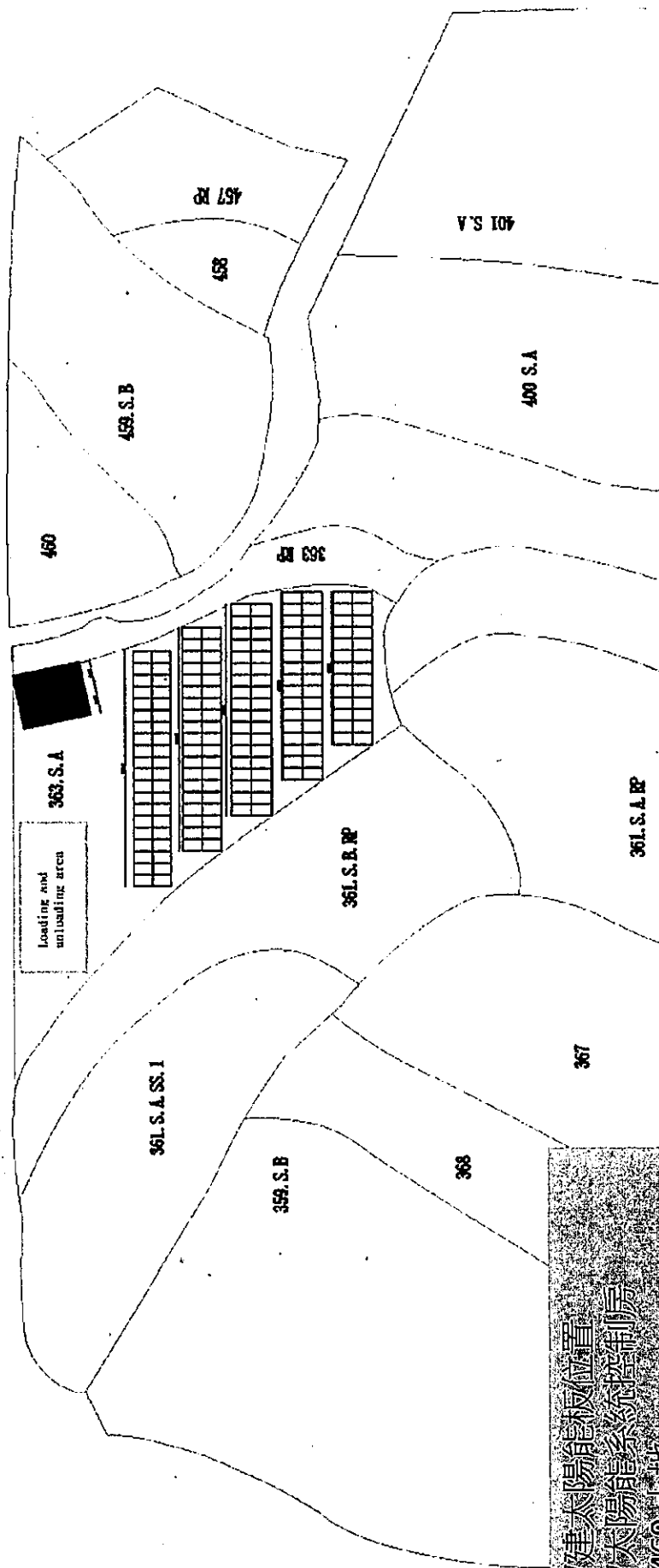


Diagram 4 – Floor Plan

Kam Shui Road 金水路



- 預留建太陽能板位置
- 預留太陽能系統控制房
- LOT 460 土地
- 工程批發及零售區(約2000平方米)

**Security Bureau**

**Responses to comments on 2.3.2021 and 3.3.2021 (two emails)**

**Enquiry**

jtblai@pland.gov.hk 於 2021 年 3 月 2 日 16:16

寫道：Dear Sir/Madam,

I refer to the captioned Section 16 application. Please find below the comments from the Security Bureau for your action.

- Please indicate the way of access from Kam Sheung Road to the application site on a plan.

Thanks.

Regards,

Boris Lai

for DPO/FS&YLE, PlanD Tel: 3168 4045

**Reply**

Re: S.16 Application No. A/YL-SK/302 - Comments from the Security Bureau

Date : 02/03/2021 17:51

From:

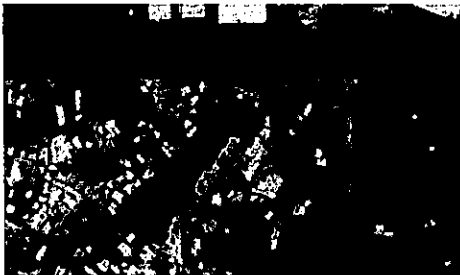
To: jtblai@pland.gov.hk

Cc: , ipkwong@pland.gov.hk

Dear Boris,

Thank you for your site visit today.

Regarding the driving route, please find the attached pictures for your reference.



From Kam Sheung Road via Pat Heung Primary School to our site (we are next to Pat Heung Primary School)



From Kam Sheung Road Metro via Shek Kong Airport Road to our site



Gary



Shek Kong Airfield Rd



更多  
加油站 超市 飯店 更多

✕

Google

地圖

街景

測距

分享

將路線分享至手機

途經路上路  
交通時間 2 分  
詳情資訊

探索八鄉中心小學

...

P

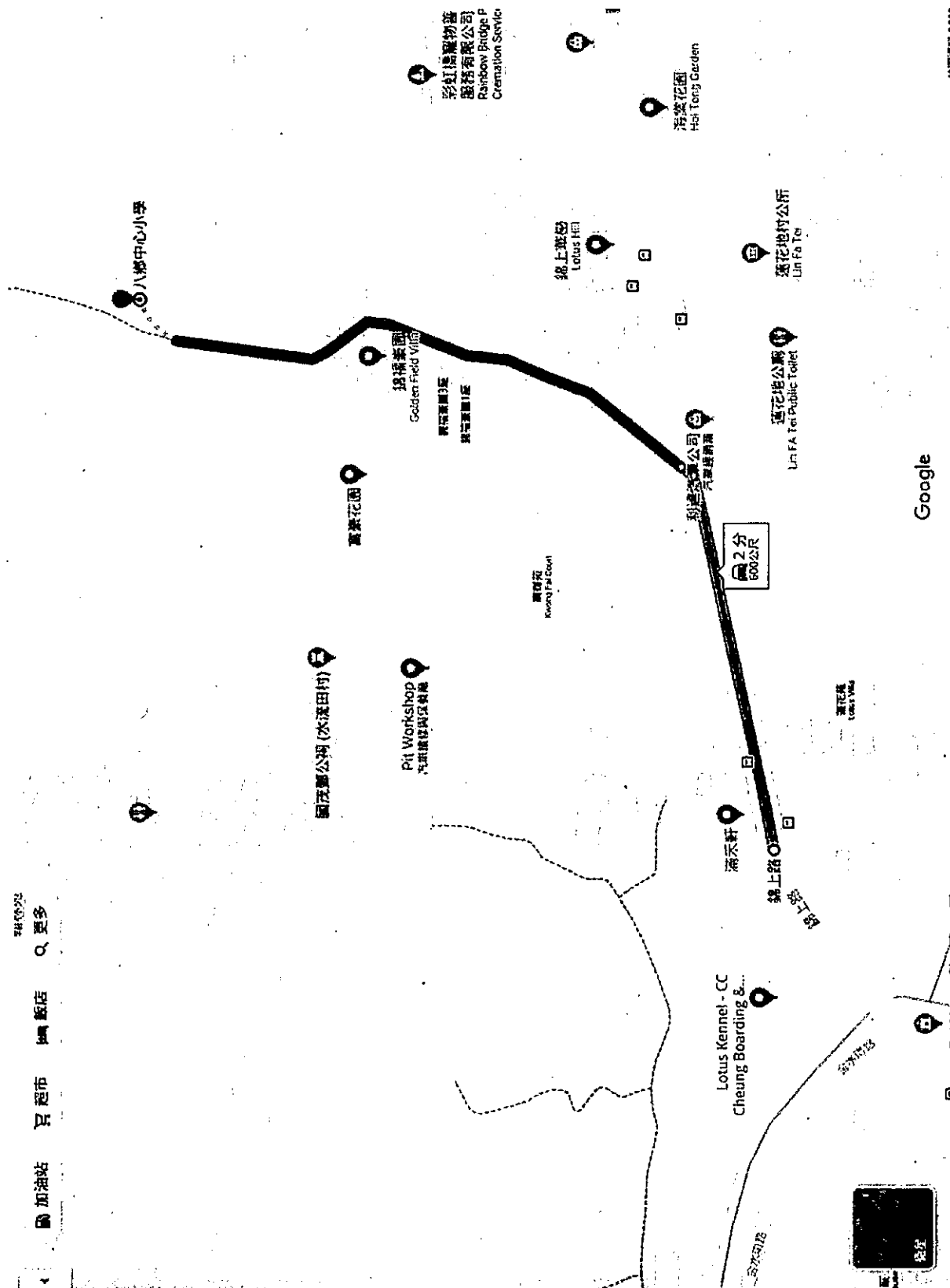
🛢️

🏠

🚗

...

詳情 加油站 停車場 全文





### Enquiry – 1<sup>st</sup> Mail

<jtblai@pland.gov.hk> 於 2021 年 3 月 3 日週三 下午 12:22 寫道：

Dear

Thank you for your reply.

From the your plan below, it seems that there is no direct access (either by car or on foot) from Kam Sheung Road via Pat Heung Primary School to the Site. Would you also indicate the whole route for travelling from Kam Sheung Road via Pat Heung Primary School to the Site? Thanks

Regards

Boris

### Reply

Re: S.16 Application No. A/YL-SK/302 - Comments from the Security Bureau

Date : 03/03/2021 12:51

From:

To: jtblai@pland.gov.hk

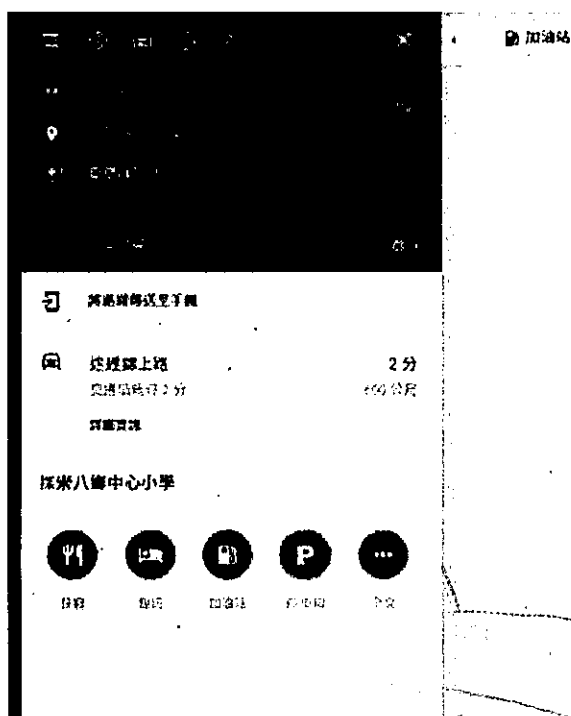
Cc:

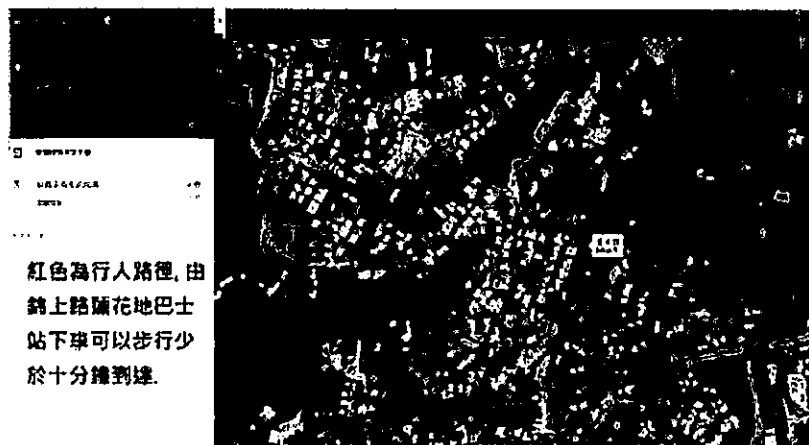
, jpkwong@pland.gov.hk File Ref:

Dear Boris

Thank you for your reply.

The route is by car which you can find from the left-hand upper corner of the picture.





Two ways from Kam Sheung Road 蓮花地 Bus stop by walking (less than 10 mins, route in red) and also by car from 蓮花地 Bus stop to point Yellow only need 2 mins. From Monday to Friday, also can inform Pat Heung Primary School guard to open gate for car pass through ( route in blue), \*\*\* this path is open for public since 2016, and after that Primary School made construction and closed the path for his private area. (optional)

For further information, please don't hesitate to contact us.

Thanks for your kind attention.

Best regards

on behalf of the Applicant

Swiss Caviar House (Asia) Limited



目的地



起點 (建議從起點開始)



新增目的地

地圖縮放

路線

加油站



將路線傳送至手機



途經錦上路

2 分

交通順暢時 2 分

620 公尺

詳細資訊

探索八鄉中心小學



餐廳



飯店



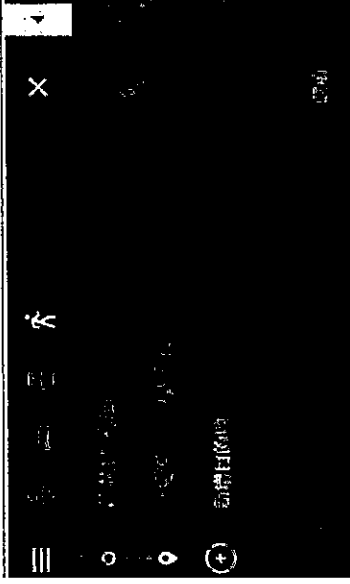
加油站



停車場



全文



將路線傳送手機

途經未命名的道路

詳細資訊

多為平坦路段

4分  
350公尺

紅色為行人路徑，由  
錦上路蓮花地巴士  
站下車可以步行少  
於十分鐘到達。

**Enquiry – 2<sup>nd</sup> mail**

jtblai@pland.gov.hk 於 2021 年 3 月 3 日下午 12:21 寫道：

Dear

Thank you for your reply.

From the your plan below, it seems that there is no direct access (either by car or on foot) from Kam Sheung Road via Pat Heung Primary School to the Site. Would you also indicate the whole route for travelling from Kam Sheung Road via Pat Heung Primary School to the Site? Thanks.

Regards,

Boris

**Reply**

Re: S.16 Application No. A/YL-SK/302 - Comments from the Security Bureau  
03/03/2021 12:55

From:

To: jtblai@pland.gov.hk

Cc: , [jpkwong@pland.gov.hk](mailto:jpkwong@pland.gov.hk)

Dear Boris,

Actually, you can direct access to the destination, please see again the access path as below may earlier for you understanding.

You can also use the same way direct to the Pat Heung Primary School because it is just next to the destination.

If you have further questions, please contact me at

Thanks.







香港油料有限公司

美隆石油有限公司  
MEI LUN OIL CO. LTD.  
SHEWAN TOMES & CO. LTD.

香港油料有限公司

同孚石油有限公司

中國石油有限公司  
PetroChina Kunming

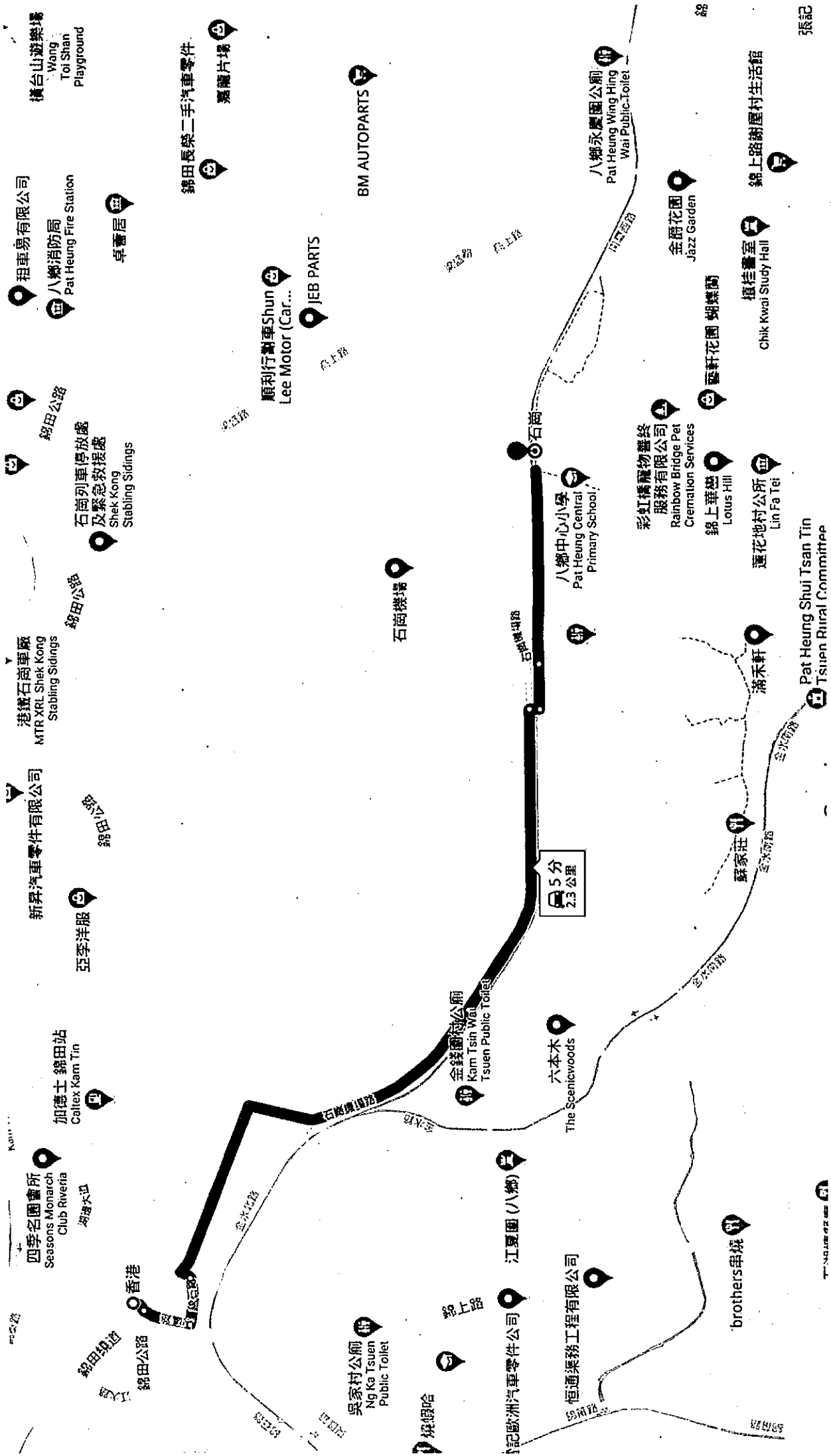
石油公司  
石油公司

利源汽車有限公司  
Lee Yee Motor (Car)

WEB PARTS

5分  
2.3公里

Google





Assessment Criteria for Considering Applications for Solar Photovoltaic System  
made under Section 16 of the Town Planning Ordinance

Feed-in Tariff and Solar Photovoltaic System

1. Development of renewable energy (RE) is an important part of the Government's efforts in combating climate change. Increasing the use of RE, a zero-carbon energy, can help decarbonize the electricity generation sector, which contributes to about two-thirds of the carbon emissions in Hong Kong. The policy is for the Government to take the lead in developing RE where technically and financially feasible and to create conditions that are conducive to community participation. Against this background, Feed-in Tariff (FiT) was introduced under the post-2018 Scheme of Control Agreements (SCAs) between the Government and the two power companies, i.e. The Hongkong Electric Company, Limited (HKE) and CLP Power Hong Kong Limited (CLP) to provide incentives for individuals and non-Government bodies to invest in RE, including solar photovoltaic (SPV) system. Under the SCAs, FiT is offered for electricity generated by the RE systems throughout the project life of the RE systems<sup>1</sup> or until 31 December 2033, whichever is the earlier.
2. A SPV system includes SPV panels, inverter(s), energy meters, distribution board(s), cables and other components as necessary to form a complete grid connected SPV installation. The two key components are SPV panels and inverter(s). SPV panels convert sunlight into electricity. The inverter(s) convert the output direct current (DC) of the solar panels into alternating current (AC). A typical SPV system is shown in **Figure 1**.

Statutory Planning Provision for Solar Photovoltaic System

3. In general, SPV systems are commonly found on (i) rooftop of New Territories Exempted House (NTEH); (ii) rooftop of private buildings; and (iii) vacant land.
4. If installation of SPV system is incidental to, directly related and ancillary to and commensurate in scale with a permitted use/development within the same zone or at the rooftop of NTEH or private building, it is regarded as an ancillary use for supplementing power supply to the use/development, household or building<sup>2</sup>. No planning permission for the system is required.
5. Installation of SPV system as a stand-alone facility on vacant land for the FiT Scheme would be regarded as 'Public Utility Installation' ('PUI'), which is always permitted in "Commercial", "Government, Institution or Community", "Industrial", "Industrial (Group D)", "Open Storage", "Other Specified Uses" ("OU") annotated "Business" and "OU" annotated "Industrial Estate" zones. Planning application is required for stand-alone SPV system for FiT Scheme in areas where 'PUI' is a Column 2 use under the statutory plan concerned. Any such planning permission granted would be for 'Public Utility Installation (Solar Photovoltaic System for the FiT Scheme)'. Only temporary approval would be considered where there may be potential impact generated by the proposed SPV system which needs to be closely monitored or that the long-term planning intention of the zone

<sup>1</sup> The lifespan of a SPV system is about 20 to 25 years.

<sup>2</sup> Installation of SPV system for generating electricity for a permitted use, such as that for a farm, green house/farm structures in the "Agriculture" zone mainly for generating electricity for agricultural purposes, or that installed in connection with NTEH in "Village Type Development" zone, are also regarded as an ancillary use.

may be frustrated by the proposed use.

#### Assessment Criteria for Planning Applications

6. The following criteria should be taken into account in assessing planning applications for SPV system made under section 16 of the Town Planning Ordinance:

- a) it is a prerequisite for the applicant to obtain the 'Consent Letter' or 'Acknowledgement Letter' from HKE and CLP respectively and submit a copy of the document together with the application to demonstrate the technical feasibility of the scheme in terms of serviceability, electrical safety and output generated by the SPV system;
- b) unless with strong justifications, the SPV system, including the height of the proposed structures, should be in keeping with the surrounding area/developments and commensurate with the function(s) it performs;
- c) for optimisation of use of land, favourable consideration may be given if viability of co-existence of the proposed SPV system and uses that are in line with the long-term planning intention of the land use zoning of the application site could be satisfactorily demonstrated;
- d) it has to be demonstrated to the satisfaction of the relevant government departments that the SPV system will not have significant adverse impacts, including but not limited to those relating to the environment, drainage, sewerage, traffic, geotechnical safety, landscape and visual<sup>3</sup> and, where needed, appropriate measures are to be adopted to mitigate the impacts;
- e) unless with strong justifications<sup>4</sup>, proposals involving extensive site formation, vegetation clearance/tree felling, excavation or filling of land/pond are generally not supported;
- f) planning applications with proposed felling of existing Old and Valuable Trees (OVTs), potentially registrable OVTs, and trees of rare or protected species should not be supported. If tree removal is unavoidable, subject to the advice of relevant government departments, compensatory tree planting and/or landscape treatments should be provided within the application site as appropriate;
- g) for SPV system falling within water gathering grounds, information should be provided to the satisfaction of the relevant government departments that the system, including its installation, maintenance and operation, will not contaminate the water supply;

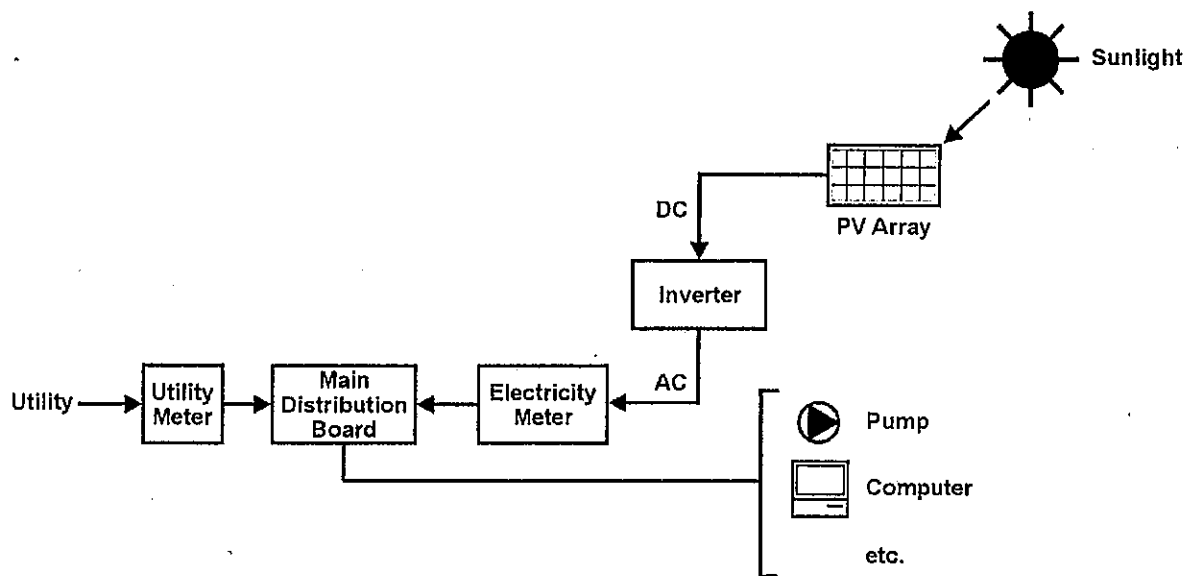
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<sup>3</sup> The applicant has to demonstrate that the proposal would not affect the visual and landscape amenities/character of the area adversely by, for instance, causing a significant change of landscape resources/character, dwarfing the surrounding developments or catching the public's visual attention due to the scale and prominence of the proposed installation. Where appropriate, measures should be taken to mitigate the visual/landscape impact, for example, by peripheral screen planting.

<sup>4</sup> Ground-mounted SPV system is usually on steel frame or concrete plinth. It should normally not involve extensive site formation, excavation or filling of land.

- h) where the installation is proposed to be in area close to airports and/or heliports, or major roads, it has to be demonstrated to the satisfaction of the relevant government departments that the SPV system should not cause glare to pilots/drivers and/or unacceptable adverse impact on aviation and/or traffic safety;
- i) the planning intention of "Agriculture" ("AGR") zone is to retain and safeguard good quality agricultural farm land/fish ponds for agricultural purposes. SPV system ancillary to agricultural use would not require planning permission (as explained in Footnote 2 under Paragraph 4). Planning application for stand-alone SPV system as 'PU1' use in the "AGR" zone is generally not supported except those on land with no active farming activities and low agricultural rehabilitation potential. For application on fish ponds in the "AGR" zone, the applicant has to demonstrate that the SPV system will not hinder the use of the site for fisheries purposes;
- j) as there is a general presumption against development in the "Green Belt" ("GB") zone, planning application within the "GB" zone is normally not supported unless with strong justifications. It has to be demonstrated to the satisfaction of the relevant government departments that the SPV system would not adversely affect the landscape character/resources of the "GB" zone and jeopardise the integrity of the zone as a buffer;
- k) due to the sensitive nature of the conservation zones, such as the "Conservation Area", "Coastal Protection Area" and "Site of Specific Scientific Interest" zones, planning application for SPV system within such zones is normally not supported to avoid any possible irreversible damages caused to the ecology or environment of the area within the zone;
- l) all other statutory or non-statutory requirements of the relevant government departments must be met. Depending on the specific land use zoning of the application site, the relevant Town Planning Board guidelines should be observed, as appropriate; and
- m) approval conditions to address the technical issues, if any, within a specified time and clauses to revoke the permission for non-compliance with approval conditions may be imposed as appropriate.

Figure 1



Extracted from EMSD website HK RE Net:

[https://re.emsd.gov.hk/english/solar/solar\\_ph/PV\\_Systems.html](https://re.emsd.gov.hk/english/solar/solar_ph/PV_Systems.html)

Typical Solar Photovoltaic System





嘉道理農場暨植物園公司  
Kadoorie Farm & Botanic Garden Corporation

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

18th March, 2021.

By email only

Dear Sir/ Madam,

**Proposed Public Utility Installation (Solar Energy System)**  
**(A/YL-SK/302)**

1. We refer to the captioned.
2. We would like the Board to look at some aerial photos showing the site and its surroundings in **Figure 1**. We also urge the Board to investigate the site status and history with relevant authorities.
3. We strongly object to this application as it is not in line with the planning intention of the Agriculture (AGR) zone, which is *'intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes'*.
4. We urge the Board to seriously look at the aerial photos in **Figure 1**. We urge the Board to consider the potential cumulative impacts on the AGR zone of approving this application; the approval would set a precedent for other similar applications in this AGR zone.
5. Thank you for your attention.

Ecological Advisory Programme  
Kadoorie Farm and Botanic Garden

香港新界大埔林錦公路  
Lam Kam Road, Tai Po, New Territories, Hong Kong  
Email: [cap@kfbg.org](mailto:cap@kfbg.org)



**Figure 1.** Aerial photos showing the site and its surroundings (approximately marked by the red circle).



Figure 1. Cont'd.

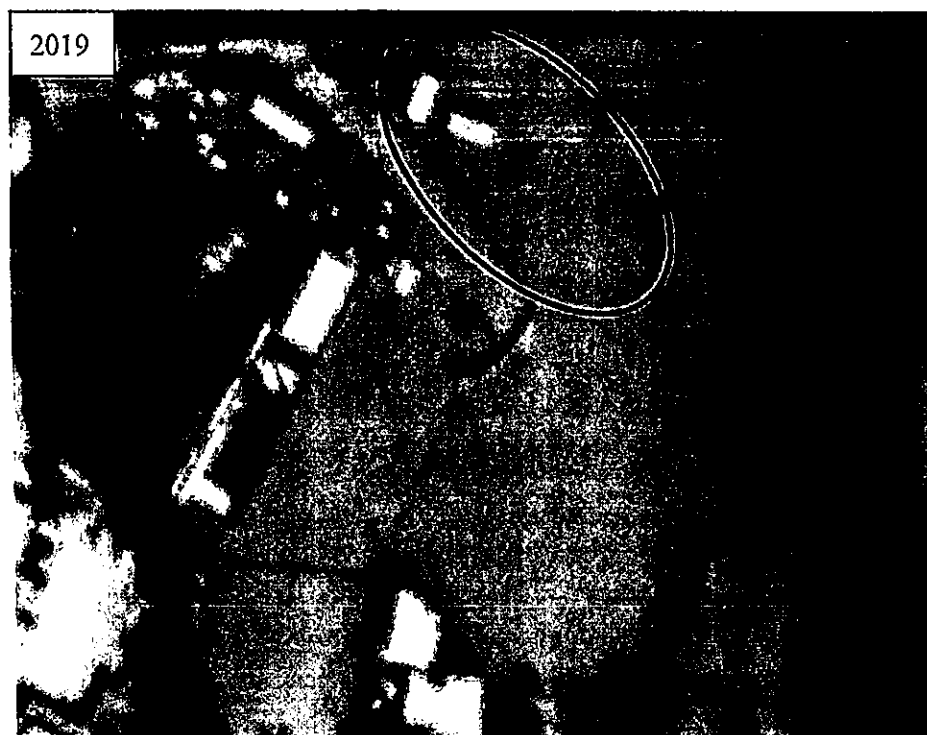
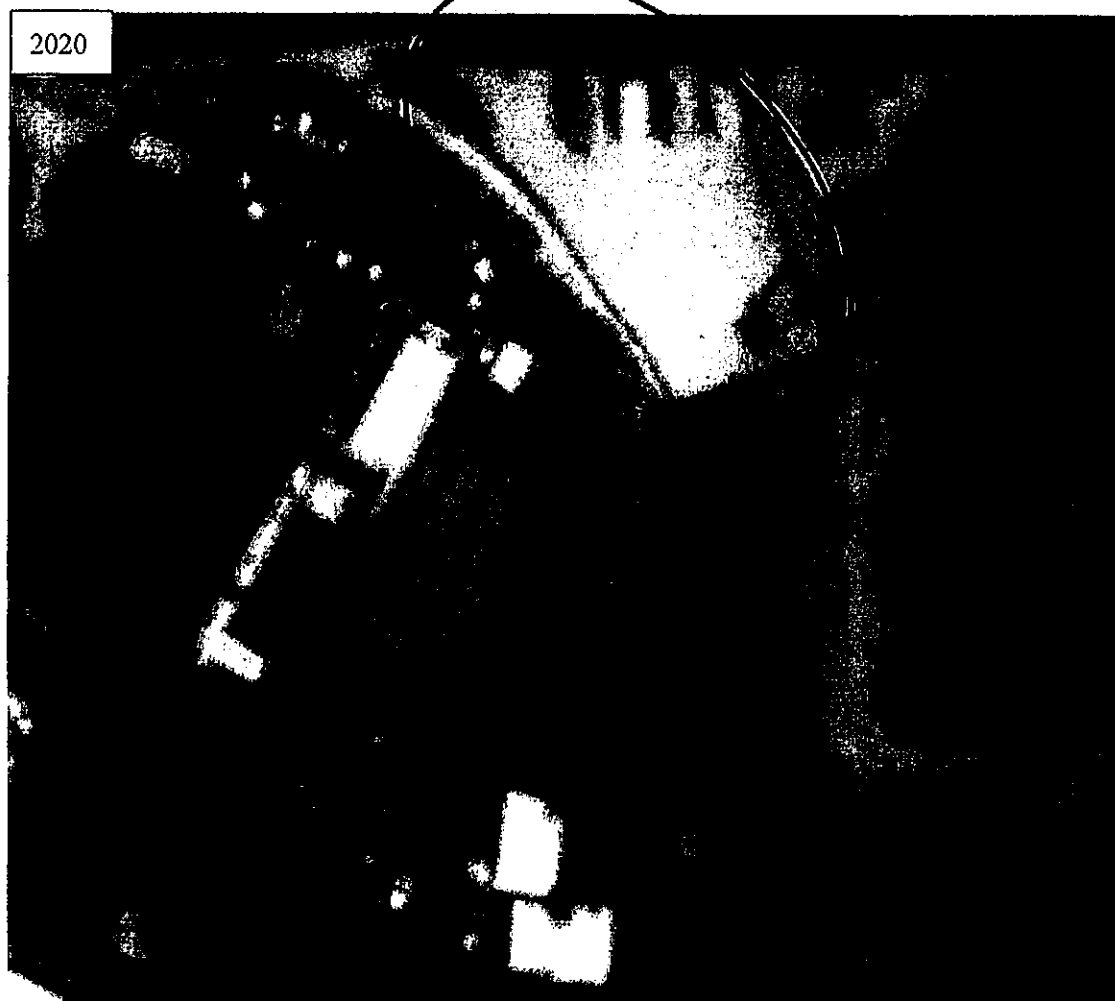


Figure 1. Cont'd.



5-1

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



Fw: 元朗石崗丈量約份第112約地段第363號A分段 擬議公用事業設施裝置(太陽能系統)(申請編號: A/YL-SK/302)

04/03/2021 18:10

From: Boris J.T. LAI/PLAND/HKSARG  
To: tpbpd/PLAND/HKSARG@PLAND  
FileRef:

----- Forwarded by Boris J.T. LAI/PLAND/HKSARG on 04/03/2021 18:15 -----

From: [REDACTED]  
To: jtblai@pland.gov.hk  
Cc: [REDACTED]  
Date: 04/03/2021 17:23  
Subject: Re: 元朗石崗丈量約份第112約地段第363號A分段 擬議公用事業設施裝置(太陽能系統)(申請編號: A/YL-SK/302)

Objection.

Due to the nature of the application is private business investment and for monetary return benefit.

I would not object if Planning Department rectify the following classification:

"Proposed Public Utility Installation (Solar Energy System)

擬議公用事業設施裝置(太陽能系統)"

On 2 Mar 2021, at 9:10 AM, jtblai@pland.gov.hk wrote:  
<gist.pdf>

5-3

# 創建 Designing Hong Kong 香港 .com

23 March 2021

Chairman and Members

Town Planning Board

15/F, North Point Government Offices

333 Java Road, North Point, Hong Kong

Fax: 2877 0245;

Email: [tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk)

## Proposed Public Utility Installation (Solar Energy System) (Application No. A/YL-SK/302)

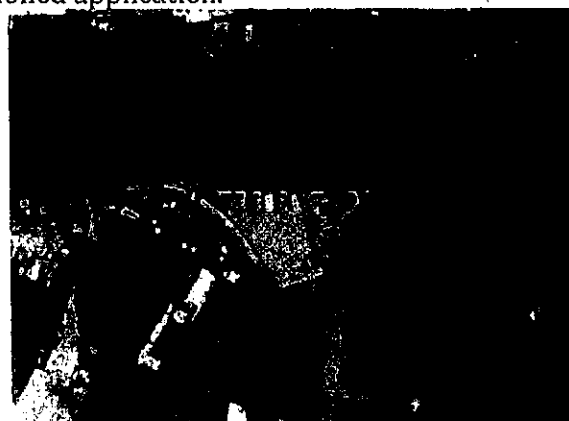
Dear Chairman and Members,

Designing Hong Kong Limited **objects** the captioned for the following reasons:

- The proposed area is zoned as "**Agriculture (AGR)**". The planning intention of this zone is primarily for retaining and safeguarding 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.
- From the Google Earth's aerial image, the proposed site has been destroyed without any previous planning approval from the Town Planning Board. We concern the Town Planning Board may be rewarding an "**Destroy First, Development Later**" practice and **unauthorized development** here through the approval of captioned application.



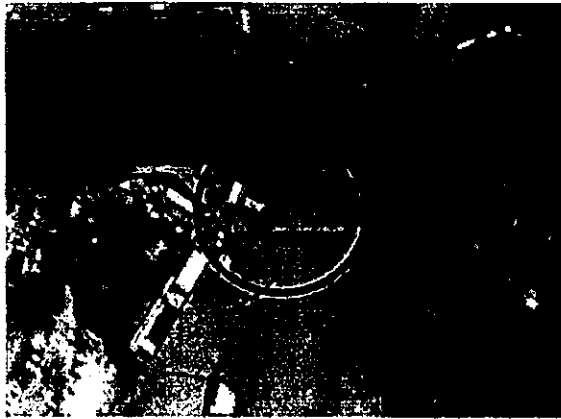
December 2017



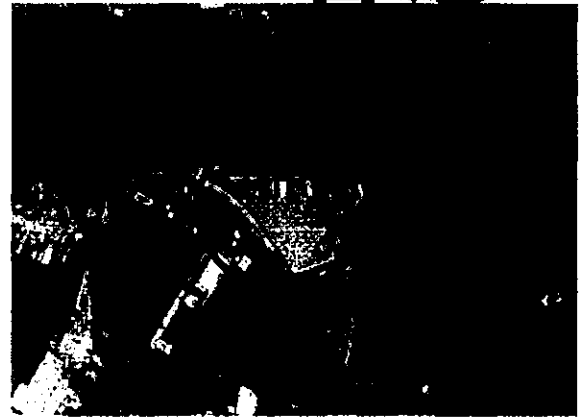
January 2018



# 創建 Designing Hong Kong 香港 .com



December 2019



November 2020

- There is still active farmland near the application site. We believe the site has a great potential for the rehabilitation of agriculture. Solar energy system installation should be avoided in order to prevent the destruction on rural landscape.
- The approval of the application would set an undesirable precedent for other applications within the "Agriculture (AGR)" zone, and lead to a general degradation of the rural environment of the area.

Here we submit our concerns for your consideration.

Yours,  
**Designing Hong Kong Limited**

tpbpd@pland.gov.hk

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寄件者: [REDACTED]  
寄件日期: 2021年03月23日星期二 22:46  
收件者: tpbpd  
主旨: A/YL-SK/302 dd 112 opp GFS Shek Kong Solar Farm

A/YL-SK/302  
Lot 363 S.A opp GFS in D.D. 112, Shek Kong  
Site area : About 781.5sq.m  
Zoning : "Agriculture"  
Applied development : 176 Panel Solar Farm

Dear TPB Members,

Strong objections. Agriculture land is for growing food. I would remind both government officials and members of TPB that it is the duty of the Hong Kong SAR to follow the advice of the Central Government to preserve arable land for the cultivation of crops. That the site is paved over and used for unapproved parking is a demonstration of how the administration has failed to monitor land use in NT.

*Concerns about food supply have heightened in China this year amid reports of grain shortages and a call from President Xi Jinping to cut back on "shocking" food waste as concerns grow about crop shortages.*  
<https://www.scmp.com/economy/china-economy/article/3111623/china-food-security-hows-it-going-and-whys-it-important>

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That our government departments, particularly EPD, are supporting the conversion of farmland to solar farms is certainly not compatible with the national interest and mandate.

In addition the board has erred in its approval of commercial solar farms under the umbrella of the Feed in Tariff programme. It is ultra vires for CLP to collaborate with such application under the FIT scheme.

It is quite clear from the Legco and other papers that the intention of scheme as per the presentation materials was to encourage the erection of solar panels on the roof tops of village house and other buildings. There was no mention of encouraging the development of solar farms and incursion onto sites intended for recreation, community facilities or the general enjoyment of the community or on arable farm land.

<https://www.legco.gov.hk/research-publications/english/1718in04-feed-in-tariff-for-solar-power-in-selected-places-20180117-e.pdf>

Programmes quoted from Australia, Japan and Korea all focus on rooftop installation.

<https://www.legco.gov.hk/yr18-19/english/panels/ea/papers/ea20181126cb1-189-4-e.pdf>

8. Under the FIT Scheme, distributed electricity generated by RE systems invested by the private sector and the community can be sold at a rate higher than the normal electricity tariff rate to the power companies.

11. Members opined that the Administration should introduce initiatives dedicated specifically to generating RE on a large scale locally, such as making use of restored landfills for developing solar plants, instead of relying on waste treatment initiatives (such as ORRCs) to increase the use of RE for power generation as a secondary goal.

13. The Administration advised that according to the experiences of other places, the contribution from distributed RE systems to the overall electricity demand was limited. Nevertheless, it was expected that implementation of the FIT Scheme would be conducive to the development of RE in Hong Kong by promoting public participation. The Administration would continue to explore further measures to facilitate installation of distributed RE systems in both new and existing buildings in collaboration with relevant professional bodies, such as the Hong Kong Green Building Council.



14. The Administration also advised that further support and facilitation would be provided to individuals and organizations participating in RE development, including suitably relaxing the restrictions on installation of PV systems on the rooftop of New Territories exempted houses ("NTEHs"). Moreover, the Administration would consider making appropriate relaxations for other private buildings, in particular the low-rise ones.

15. As regards incentive measures to attract non-business sectors to pursue the adoption of environmental protection installations to further promote green buildings, the Administration informed Members that it would introduce a new programme in 2019 to provide financial and technical support to assist schools (except government and profit-making schools) and non-governmental welfare organizations in installing small RE systems, such as conducting site visits and providing technical assessments, as well as installation and testing of the system.

<https://www.legco.gov.hk/yr18-19/english/panels/ea/papers/ea20181126cb1-189-4-e.pdf>

Support for the scheme was based on this principle. There has been no consultation with the public or Legco with regard to converting GIC, GB, OS, Recreation and Agriculture zoned sites to solar farms.

That EPD is supporting applications like this is both irresponsible and a failure on its part to protect our natural environment and ecosystems. TPB in approving these solar farms is setting precedents that could see large swathes of farm land covered in solar panels.

FIT is at best a cosmetic distraction whereby EPD pretends it is doing something to resolve our environmental issues while failing to follow through on the many initiatives that gone through years of consultation and obfuscation.

With regard to this location there is the also the issue of glare from the panels so close to the landing strip for GFS. This could have an impact on safe take off and landings.

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Mary Mulvihill



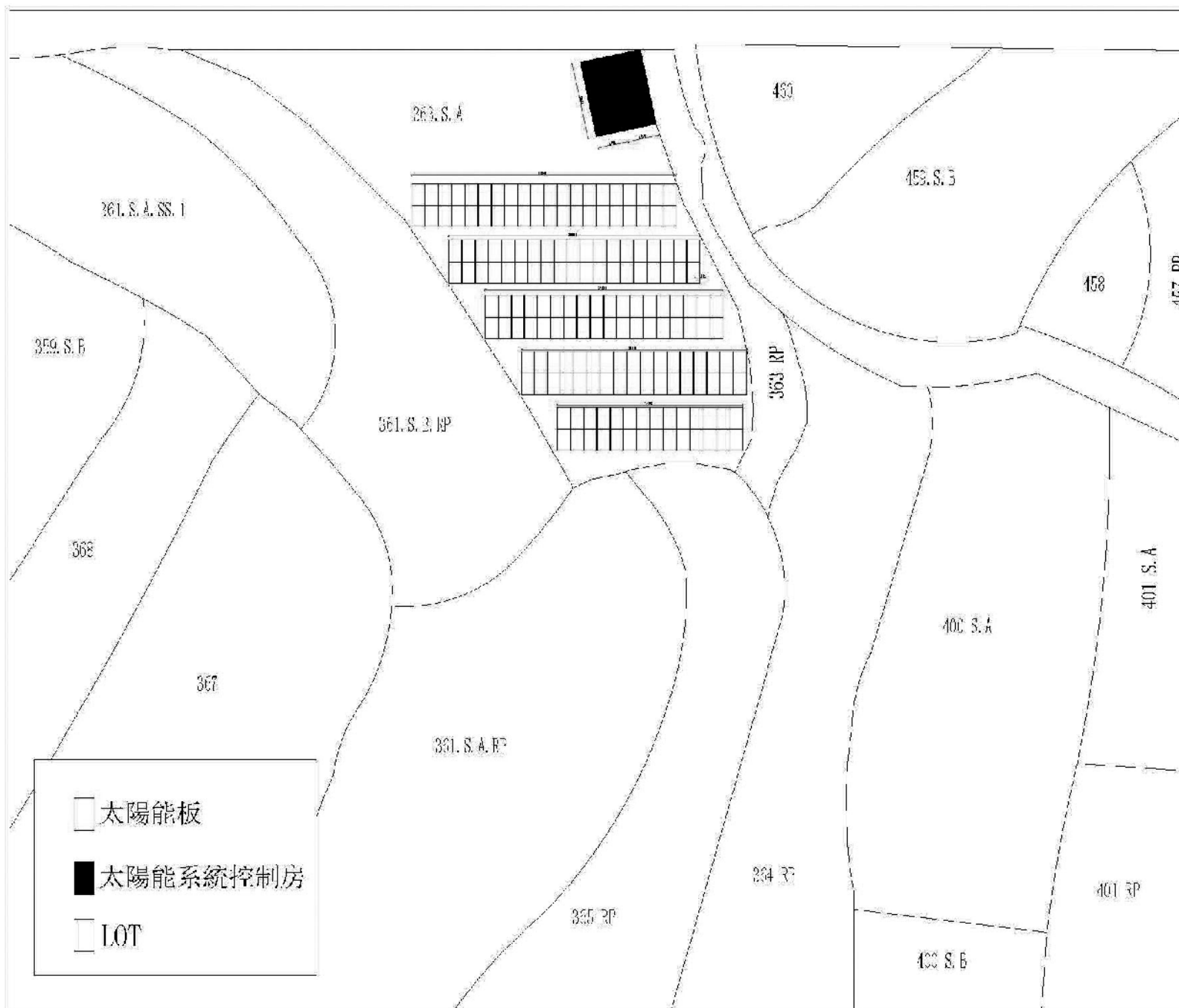
**Advisory Clauses**

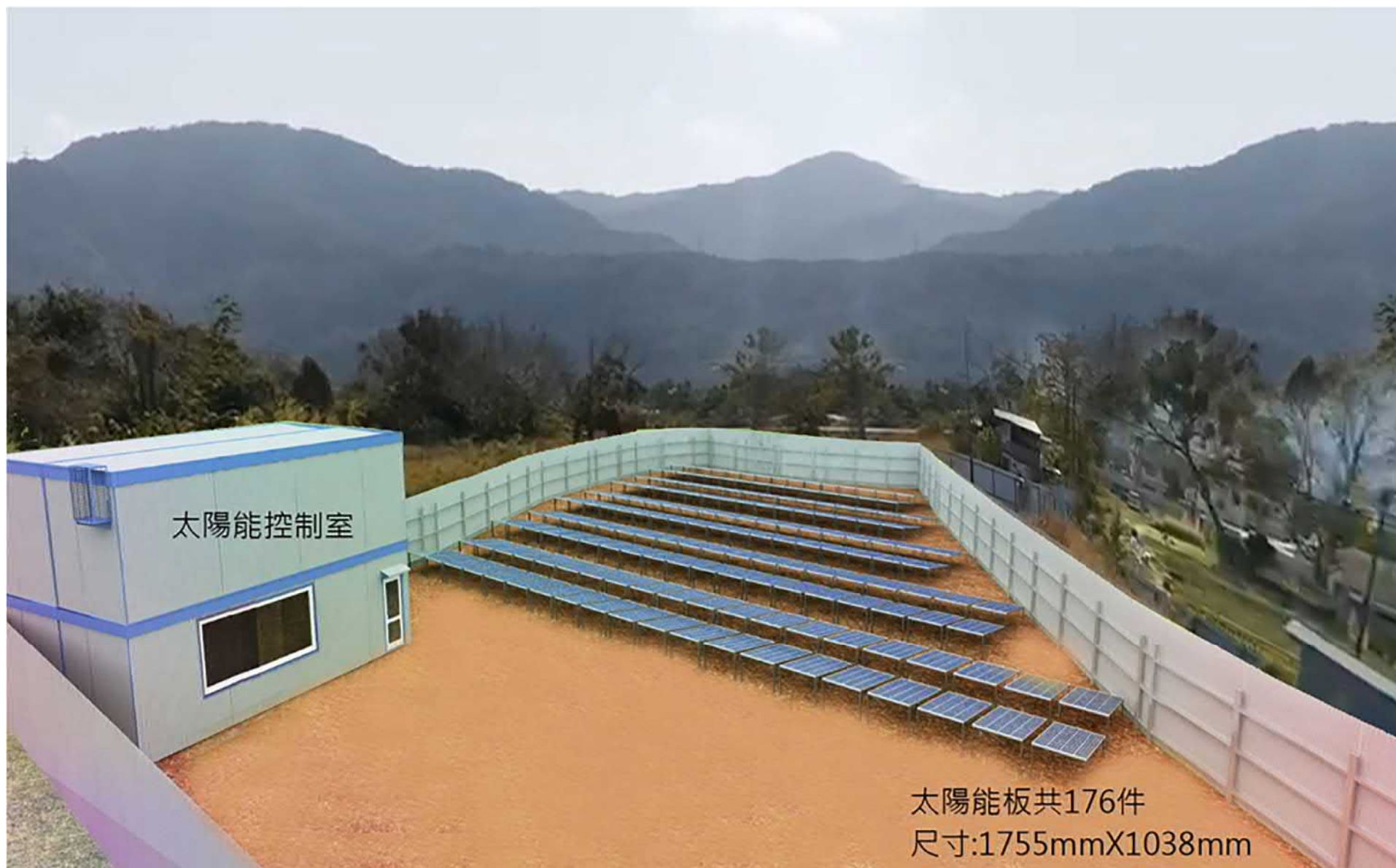
- (a) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
  - (i) the Site comprises an Old Schedule Agricultural Lot held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government; and
  - (ii) should planning approval be given to the planning application, the lot owner(s) will need to apply to his office to permit the structure(s) to be erected or regularise any irregularities on-site, if any. Besides, given the proposed use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. Applications for any of the above will be considered by LandsD acting in the capacity as the landlord or lessor at its sole discretion and there is no guarantee that such application(s) will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of rent or fee, as may be imposed by LandsD.
- (b) to note the comments of the Commissioner for Transport (C for T) that the Site is connected to the public road network via section of a local access road which is not managed by TD. The land status of the local access road should be checked with LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly.
- (c) to note the comments of the Director of Environmental Protection (DEP) to strictly comply with relevant pollution control ordinances, including Waste Disposal Ordinance and Water Pollution Control Ordinance, and to implement appropriate pollution control measures to minimise any potential environmental impacts during construction of the project. Reference could be made to relevant publications / guidelines including Recommended Pollution Control Clauses for Construction Contracts and Professional Persons Environmental Consultative Committee Practice Notes (ProPECC PN).1/94, "Construction Site Drainage".
- (d) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that the applicant shall adopt appropriate measures to avoid polluting the Kam Tin River (Plan A-2) located to the north of the Site.
- (e) to note the comments of the Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) that:
  - (i) the Site of about 781.5m<sup>2</sup> falls within the "Agriculture" ("AGR") zone on the respective Outline Zoning Plan and is situated in an area surrounded by temporary structures and village type development of 1 to 3 storeys and some agricultural land, which is predominantly rural in character;

- (ii) the current application seeks planning permission for a proposed solar energy system involving 176 solar panels (1.755m long x 1.038m wide x 0.035m high each) with a total height of 1.5m and a single storey control room (about 6m high). According to the Assessment Criteria for Considering Applications for Solar Photovoltaic System (SPV) made under Section 16 of the Town Planning Ordinance promulgated by Town Planning Board in July 2020, the height of the proposed structures should be in keeping with the surrounding area/ developments and the applicant has to demonstrate that such SPV system will not have significant adverse visual impacts; and
  - (iii) the proposed solar energy system will, to a certain extent, bring forth change to the visual context of the area where is predominantly by rural character. Nevertheless, as shown in the visual illustration in the submitted FI (**Appendix Ia**), a fence wall (2.5m high) will be installed along the site boundary to alleviate the visual impact of the solar panels (1.5m high). As such, significant visual impact is not envisaged. To further soften the edge and provide visual interest, the applicant is advised to improve the design of the boundary fencing and explore more mitigation measures such as buffer planting, vertical greening.
- (f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that the applicant shall maintain all the drainage facilities on-site in good condition and ensure that the proposed development would neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc.
- (g) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) before any new building works (including containers/open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the Building Authority should be obtained, otherwise they are unauthorised building works (UBW) under the Building Ordinance (BO). An Authorised Person should be appointed as the coordinator for the proposed building works in accordance with the BO;
  - (ii) for UBW erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with the prevailing enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO;
  - (iii) the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively;
  - (iv) the Site does not abut on a specified street of not less than 4.5m wide, and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage; and

- (v) detailed checking under the BO will be carried out at the building plan submission stage.
- (h) to note the comments of the Director of Fire Services (D of FS) that:
  - (i) in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSIs to be installed should be clearly marked on the layout plans; and
  - (ii) the applicant is reminded that if the proposed structure(s) is required to comply with the BO, detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.
- (i) to note the comments of the Director-General of Civil Aviation (DGCA) that regarding the installation of solar panels, the applicant is reminded for the glare that may be caused by the panels. While there is no specific requirement on the reflection of solar panels from aviation safety perspective, Article 47 of Air Navigation (Hong Kong) Order (Cap. 448C) stated that, "A person shall not recklessly or negligently act in a manner likely to endanger an aircraft or any person therein." The reflection rate of solar panels with anti-reflective coating of around 5% is most advisable.





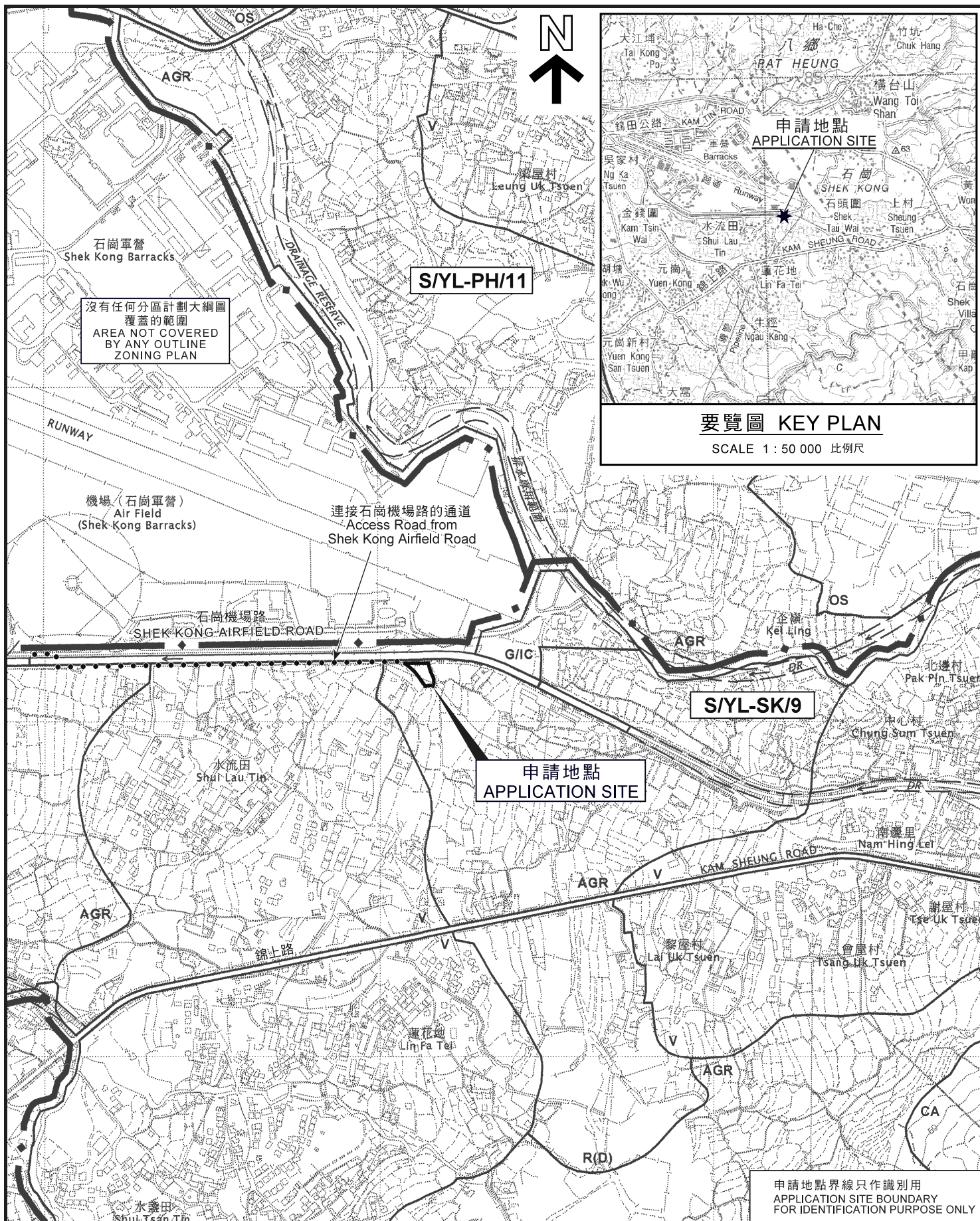


(資料來源:申請人於 24. 5. 2021 呈交的資料)  
(Source : Applicant's Submission of 24.5.2021)

參考編號  
REFERENCE No.  
A/YL-SK/302

繪圖 DRAWING  
A-2



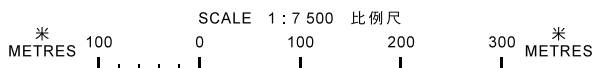


要覽圖 KEY PLAN

SCALE 1 : 50 000 比例尺

位置圖 LOCATION PLAN

擬議公用事業設施裝置（太陽能系統）  
 元朗石崗丈量約份第112約地段第363號A分段  
 PROPOSED PUBLIC UTILITY INSTALLATION  
 (SOLAR ENERGY SYSTEM)  
 LOT 363 S.A IN D.D. 112, SHEK KONG, YUEN LONG



規劃署  
 PLANNING  
 DEPARTMENT



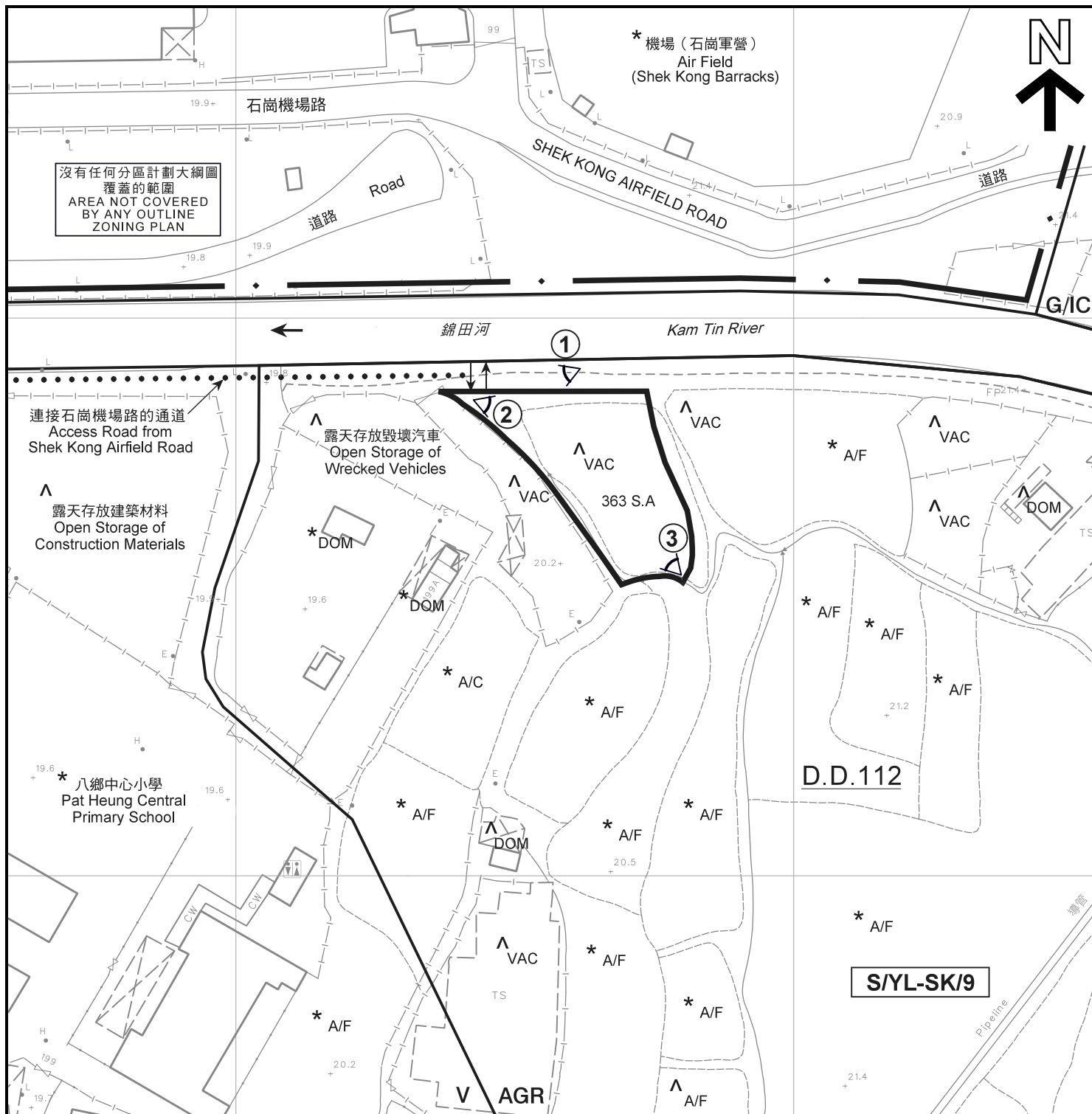
參考編號  
 REFERENCE No.

A/YL-SK/302

圖 PLAN

A-1

本摘要圖於2021年3月29日擬備，  
 所根據的資料為於2006年10月17日核准的  
 分區計劃大綱圖編號S/YL-SK/9  
 EXTRACT PLAN PREPARED ON 29.3.2021  
 BASED ON OUTLINE ZONING PLAN  
 No. S/YL-SK/9 APPROVED ON 17.10.2006



#### 圖例 LEGEND

- 申請地點** (界線只作識別用)  
APPLICATION SITE  
(BOUNDARY FOR IDENTIFICATION  
PURPOSE ONLY)
- V** 鄉村式發展  
VILLAGE TYPE DEVELOPMENT
- AGR** 農業  
AGRICULTURE
- G/IC** 政府、機構或社區  
GOVERNMENT, INSTITUTION OR COMMUNITY
- 入口/出口  
INGRESS / EGRESS

- DOM** 住用構築物  
DOMESTIC STRUCTURE
- VAC** 空置  
VACANT
- A/C** 常耕農地  
ACTIVE AGRICULTURAL LAND
- A/F** 休耕農地  
FALLOW AGRICULTURAL LAND
- 實地照片的觀景點  
VIEWING POINT OF SITE PHOTO

#### 註釋 Notes:

- (1) 2021年3月2日勘測的土地用途  
Land uses shown on this plan are in accordance with the land use survey conducted by the Planning Department on 2.3.2021
- (2) \* 土地用途跟1991年勘測的土地用途一致  
Indicates that the use is the same as that revealed by the land use survey conducted by the Planning Department in 1991
- (3) ^ 土地用途跟1991年勘測的土地用途有別  
Indicates that the use is different from that revealed by the land use survey conducted by the Planning Department in 1991

本摘要圖於2021年3月29日擬備，  
所根據的資料為測量圖編號  
6-NE-13D及14C  
EXTRACT PLAN PREPARED ON 29.3.2021  
BASED ON SURVEY SHEET No.  
6-NE-13D & 14C

#### 平面圖 SITE PLAN

擬議公用事業設施裝置 (太陽能系統)  
元朗石崗丈量約份第112約地段第363號A分段  
PROPOSED PUBLIC UTILITY INSTALLATION  
(SOLAR ENERGY SYSTEM)  
LOT 363 S.A. IN D.D. 112, SHEK KONG, YUEN LONG

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

規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
A/YL-SK/302

圖 PLAN  
A-2





圖例 LEGEND

-  申請地點 (界線只作識別用)  
APPLICATION SITE  
(BOUNDARY FOR IDENTIFICATION  
PURPOSE ONLY)
-  入口 / 出口  
INGRESS / EGRESS

本摘要圖於2021年3月29日擬備，所根據的資料為地政總署於2020年2月18日拍得的航攝照片編號 E089473C  
EXTRACT PLAN PREPARED ON 29.3.2021  
BASED ON AERIAL PHOTO No.  
E089473C TAKEN ON 18.2.2020  
BY LANDS DEPARTMENT

航攝照片 AERIAL PHOTO

擬議公用事業設施裝置 (太陽能系統)  
元朗石崗丈量約份第112約地段第363號A分段  
PROPOSED PUBLIC UTILITY INSTALLATION  
(SOLAR ENERGY SYSTEM)  
LOT 363 S.A IN D.D. 112, SHEK KONG, YUEN LONG

規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
A/YL-SK/302

圖 PLAN  
A-3





申請地點界線只作識別用

APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

### 實地照片 SITE PHOTO

擬議公用事業設施裝置（太陽能系統）  
元朗石崗丈量約份第112約地段第363號A分段  
PROPOSED PUBLIC UTILITY INSTALLATION  
(SOLAR ENERGY SYSTEM)  
LOT 363 S.A IN D.D. 112, SHEK KONG, YUEN LONG

規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
A/YL-SK/302

圖 PLAN  
A-4

本摘要圖於2021年3月29日擬備，  
所根據的資料為攝於  
2021年3月2日的實地照片  
PLAN PREPARED ON 29.3.2021  
BASED ON SITE PHOTOS  
TAKEN ON 2.3.2021

**Minutes of 675<sup>th</sup> Meeting of the  
Rural and New Town Planning Committee held at 2:30 p.m. on 9.7.2021**

- ~~(h) if any of the above planning condition (a), (b), (c), (d), (e), or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and~~
- (i) if the above planning condition (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”
50. The Committee also agreed to advise the applicant to note the advisory clauses as ~~set out at Appendix VI of the Paper.~~

**Agenda Item 17**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/302      Proposed Public Utility Installation (Solar Energy System) in  
“Agriculture” Zone, Lot 363 S.A in D.D. 112, Shek Kong, Yuen Long  
(RNTPC Paper No. A/YL-SK/302A)

**Presentation and Question Sessions**

51. Mr Patrick M.Y. Fung, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed public utility installation (solar energy system);
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication period, four objecting comments from Kadoorie Farm & Botanic Garden Cooperation, Designing Hong Kong

Limited and individuals were received. Major views were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed use was not in line with the planning intention of the “Agriculture” (“AGR”) zone. The proposed use was not considered incompatible with the surrounding environment. The Secretary for the Environment strongly supported the development of large-scale renewable energy systems such as the one proposed under the application. However, the Director of Agriculture, Fisheries and Conservation did not support the application as the application site (the Site) possessed potential for agricultural rehabilitation. The Site was also located in close proximity to the Shek Kong Barracks and the Secretary for Security advised that approval of the application might result in security concerns and the Director-General of Civil Aviation advised that glare might be caused by the solar panels. The proposed use was not entirely in line with the assessment criteria for considering applications for solar photovoltaic (SPV) system in that stand-alone SPV system in the “AGR” zone was generally not supported except those on land with no active farming activities and low agricultural rehabilitation potential. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

52. Members had no question on the application.

#### Deliberation Session

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” (“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. No strong planning justification has been given in the submission to justify a departure from the planning intention;

- (b) the site is in close proximity to the Shek Kong Barracks. Approval of the application may result in security concerns; and
- (c) the proposed development is not entirely in line with the assessment criteria for considering applications for Solar Photovoltaic (SPV) system in that stand-alone SPV system in the "AGR" zone is generally not supported except those on land with no active farming activities and low agricultural rehabilitation potential."

#### Agenda Item 18

##### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/311      Proposed Temporary Storage of Scrapped Vehicles, Ancillary Office and Workshop for a Period of 3 Years in "Village Type Development" Zone, Lots 1286 RP (Part) and 1297 in D.D. 114, Kam Sheung Road, Shek Kong, Yuen Long  
(RNTPC Paper No. A/YL-SK/311)

##### Presentation and Question Sessions

54.      Mr Patrick M.Y. Fung, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary storage of scrapped vehicles, ancillary office and workshop for a period of three years;





城市規劃委員會

香港北角道華道三百三十三號  
北角政府合署十五樓

TOWN PLANNING BOARD

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

傳 真 Fax: 2877-0245 / 2522 8426

By Post

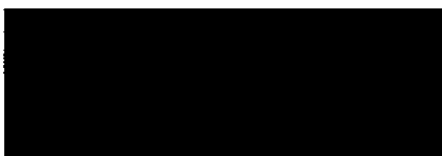
電 話 Tel: 2231 4810

來函檔號 Your Reference:

覆函請註明本會檔號

In reply please quote this ref.: TPB/A/YL-SK/302

23 July 2021



(Attn.: [Redacted])

Dear Sir/Madam,

**Proposed Public Utility Installation (Solar Energy System)**  
**in "Agriculture" Zone, Lot 363 S.A in D.D. 112, Shek Kong, Yuen Long**

I refer to my letter to you dated 27.5.2021.

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

- (a) the proposed development is not in line with the planning intention of the "Agriculture" ("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. No strong planning justification has been given in the submission to justify a departure from the planning intention;
- (b) the site is in close proximity to the Shek Kong Barracks. Approval of the application may result in security concerns; and
- (c) the proposed development is not entirely in line with the assessment criteria for considering applications for Solar Photovoltaic (SPV) system in that stand-alone SPV system in the "AGR" zone is generally not supported except those on land with no active farming activities and low agricultural rehabilitation potential.

A copy of the TPB Paper in respect of the application (except the supplementary planning statement/technical report(s), if any) and the relevant extract of minutes of the TPB meeting held on 9.7.2021, in both English and Chinese, are enclosed herewith for your reference.

Under section 17(1) of the Town Planning Ordinance, an applicant aggrieved by a decision of the TPB may apply to the TPB for a review of the decision. If you wish to seek a review, you should inform me within 21 days from the date of this letter (on or before

13.8.2021). I will then contact you to arrange a hearing before the TPB which you and/or your authorized representative will be invited to attend. The TPB is required to consider a review application within three months of receipt of the application for review. Please note that any review application will be published for three weeks for public comments.

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

If you wish to seek further clarifications/information on matters relating to the above decision, please feel free to contact Mr. Patrick Fung of Fanling, Sheung Shui & Yuen Long East District Planning Office at 3168 4034.

Yours faithfully,



( Raymond KAN )  
for Secretary, Town Planning Board

(With Chinese Translation)

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



**Fw: S.16 Application No. A/YL-SK/302 - Further Information and TPB Meeting Schedule**

12/08/2021 18:01

From: fsyledpo\_pd/PLAND/HKSARG  
To: Louis Ho Wing CHEUNG/PLAND/HKSARG@PLAND, Boris J.T. LAI/PLAND/HKSARG@PLAND  
Sent by: Yen PY LEUNG/PLAND/HKSARG  
File Ref:

Forwarded by Yen PY LEUNG/PLAND/HKSARG on 12/08/2021 18:01

From: [REDACTED]  
To: tpbpd@pland.gov.hk  
Cc: fsyledpo@pland.gov.hk, [REDACTED]  
Date: 11/08/2021 17:57  
Subject: Re: S.16 Application No. A/YL-SK/302 - Further Information and TPB Meeting Schedule

**Monday 11 August, 2021**

Application Number : S.16 Application No. A/YL-SK/302  
Your Ref : TPB/A/YL-SK/302

The Secretary of Town Planning Board  
15th Floor, North Point Government Offices, 333 Java Road, North Point  
Attn : Mr Raymond Kan

**Re: Apply to the TPB for a review of the decision**

Dear Mr Kan,

Regarding the Proposed Public Utility Installation (Solar Energy System) in "Agriculture" Zone, Lot 363 S.A. in DD 112, Shek Kong, Yuen Long application, we received the result that our application has been rejected by TPB by post as at 6 Aug 2021. We had a tele-conversation on 3168 4034 with your Mr Patrick on 9th August. For his instruction by email requested, we would like to seek a review and a hearing arrangement as your earliest convenience. We are hereby appointed our [REDACTED], director of our company as our authorized representative to attend this review meeting and the application onwards. For further enquiries, please do not hesitate to contact us. (T: [REDACTED] direct, MB: [REDACTED], Email: [REDACTED]).

Thank you for your kind attention.  
Thanks and Best Regards,  
For and on behalf of the Applicant

[REDACTED]

Marketing Director

**Swiss Caviar House (Asia) Limited**  
Farmland Technologies and Research Center

**Swiss E-mail Limited**

Tel: [REDACTED], [REDACTED] Direct

Fax: [REDACTED]

MB : [REDACTED] / [REDACTED]

E-mail: [REDACTED] / [REDACTED]

Website: [REDACTED] / [REDACTED]

**Confidentiality Notice:**

This e-mail and any files transmitted with it are confidential and are intended solely for the addressee. It may contain legally privileged information. If you are not the intended recipient, you are hereby notified that any use, disclosure, copying printing, forwarding or dissemination of this e-mail is strictly prohibited. If you have received this e-mail in error, please notify the sender by reply e-mail, collect telephone or facsimile and immediately delete it from your system.

~~<tpbpd@pland.gov.hk> 於 2021年7月28日週三 下午5:02寫道 :~~

Dear Sir/Madam,

I refer to your email dated 19.7.2021 on the captioned planning application.

The captioned application was considered and rejected by the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board on 9.7.2020. The minutes of that RNTPC meeting has been confirmed on 23.7.2021 and uploaded to the Town Planning Board's website ([https://www.info.gov.hk/tpb/en/meetings/RNTPC/Minutes/m675rnt\\_e.pdf](https://www.info.gov.hk/tpb/en/meetings/RNTPC/Minutes/m675rnt_e.pdf) (Item 17)).

(Gary LAM)

Town Planning Board Secretariat

From: [REDACTED]

Sent: Monday, July 19, 2021 3:48 PM

To: tpbpd@pland.gov.hk

Cc: tblai@pland.gov.hk; [REDACTED]

Subject: Re: S.16 Application No. A/YL-SK/302 - Further Information and TPB Meeting Schedule

tpbpd@pland.gov.hk

---

寄件者: [REDACTED]  
寄件日期: 2021年09月10日星期五 16:27  
收件者: tpbpd@pland.gov.hk  
主旨: KFBG's comments on one planning application  
附件: 210910 s17 SK 302.pdf

R5-2

Dear Sir/ Madam,

Attached please see our comments regarding one application. There is one pdf file attached to this email. If you cannot see/ download this file, please notify us through email.

Best Regards,

Ecological Advisory Programme  
Kadoorie Farm and Botanic Garden



嘉道理農場暨植物園公司  
Kadoorie Farm & Botanic Garden Corporation

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

10th September, 2021.

By email only

Dear Sir/ Madam,

Proposed Public Utility Installation (Solar Energy System)

(A/YL-SK/302)

(Review under Section 17)

1. We refer to the captioned.
2. The Section 16 Application of the captioned was rejected and the reasons are reproduced below:

*(a) the proposed development is not in line with the planning intention of the "Agriculture" ("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. No strong planning justification has been given in the submission to justify a departure from the planning intention;*

*(b) the site is in close proximity to the Shek Kong Barracks. Approval of the application may result in security concerns; and*

*(c) the proposed development is not entirely in line with the assessment criteria for considering applications for Solar Photovoltaic (SPV) system in that stand-alone SPV system in the "AGR" zone is generally not supported except those on land with no active farming activities and low agricultural rehabilitation potential.*

3. We strongly object to this application as it is not in line with the planning intention of the Agriculture (AGR) zone, which is *'intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes'*. We also urge the Board to consider the potential cumulative impacts on the AGR zone of approving this application; the approval would set a precedent for other similar applications in this AGR zone.
4. We urge the Board to reject this application.
5. Thank you for your attention.

Ecological Advisory Programme  
Kadoorie Farm and Botanic Garden

tpbpd@pland.gov.hk

---

寄件者: [REDACTED]  
寄件日期: 2021年09月07日星期二 3:26  
收件者: tpbpd  
主旨: Re: A/YL-SK/302 dd 112 opp GFS Shek Kong Solar Farm

Dear TPB Members,

There is no way reflective panels can be allowed so close to an airfield.

Has the applicant not heard about National Security?????

Mary Mulvihill

---

From: [REDACTED]  
To: "tpbpd" <tpbpd@pland.gov.hk>  
Sent: Tuesday, March 23, 2021 10:45:44 PM  
Subject: A/YL-SK/302 dd 112 opp GFS Shek Kong Solar Farm

A/YL-SK/302  
Lot 363 S.A opp GFS in D.D. 112, Shek Kong  
Site area : About 781.5sq.m  
Zoning : "Agriculture"  
Applied development : 176 Panel Solar Farm

Dear TPB Members,

Strong objections. Agriculture land is for growing food. I would remind both government officials and members of TPB that it is the duty of the Hong Kong SAR to follow the advice of the Central Government to preserve arable land for the cultivation of crops. That the site is paved over and used for unapproved parking is a demonstration of how the administration has failed to monitor land use in NT.

*Concerns about food supply have heightened in China this year amid reports of grain shortages and a call from President Xi Jinping to cut back on "shocking" food waste as concerns grow about crop shortages.*  
<https://www.scmp.com/economy/china-economy/article/3111623/china-food-security-hows-it-going-and-whys-it-important>

That our government departments, particularly EPD, are supporting the conversion of farmland to solar farms is certainly not compatible with the national interest and mandate.

In addition the board has erred in its approval of commercial solar farms under the umbrella of the Feed in Tariff programme. It is ultra vires for CLP to collaborate with such application under the FIT scheme.

It is quite clear from the Legco and other papers that the intention of scheme as per the presentation materials was to encourage the erection of solar panels on the roof tops of village house and other buildings. There was no mention of encouraging the development of solar farms and incursion onto sites intended for recreation, community facilities or the general enjoyment of the community or on arable farm land.

[https://www.legco.gov.hk/res\\_earch-publications/english/1718in04-feed-in-tariff-for-solar-power-in-selected-places-20180117-e.pdf](https://www.legco.gov.hk/res_earch-publications/english/1718in04-feed-in-tariff-for-solar-power-in-selected-places-20180117-e.pdf)

Programmes quoted from Australia, Japan and Korea all focus on rooftop installation.

<https://www.legco.gov.hk/yr18-19/english/panels/ea/papers/ea20181126cb1-189-4-e.pdf>



8. Under the FiT Scheme, distributed electricity generated by RE systems invested by the private sector and the community can be sold at a rate higher than the normal electricity tariff rate to the power companies.

11. Members opined that the Administration should introduce initiatives dedicated specifically to generating RE on a large scale locally, such as making use of restored landfills for developing solar plants, instead of relying on waste treatment initiatives (such as ORRCs) to increase the use of RE for power generation as a secondary goal.

13. The Administration advised that according to the experiences of other places, the contribution from distributed RE systems to the overall electricity demand was limited. Nevertheless, it was expected that implementation of the FiT Scheme would be conducive to the development of RE in Hong Kong by promoting public participation. The Administration would continue to explore further measures to facilitate installation of distributed RE systems in both new and existing buildings in collaboration with relevant professional bodies, such as the Hong Kong Green Building Council.

14. The Administration also advised that further support and facilitation would be provided to individuals and organizations participating in RE development, including suitably relaxing the restrictions on installation of PV systems on the rooftop of New Territories exempted houses ("NTEHs"). Moreover, the Administration would consider making appropriate relaxations for other private buildings, in particular the low-rise ones.

15. As regards incentive measures to attract non-business sectors to pursue the adoption of environmental protection installations to further promote green buildings, the Administration informed Members that it would introduce a new programme in 2019 to provide financial and technical support to assist schools (except government and profit-making schools) and non-governmental welfare organizations in installing small RE systems, such as conducting site visits and providing technical assessments, as well as installation and testing of the system.

<https://www.legco.gov.hk/yr18-19/english/panels/ea/papers/ea20181126cb1-189-4-e.pdf>

Support for the scheme was based on this principle. There has been no consultation with the public or Legco with regard to converting GIC, GB, OS, Recreation and Agriculture zoned sites to solar farms.

That EPD is supporting applications like this is both irresponsible and a failure on its part to protect our natural environment and ecosystems. TPB in approving these solar farms is setting precedents that could see large swathes of farm land covered in solar panels.

FiT is at best a cosmetic distraction whereby EPD pretends it is doing something to resolve our environmental issues while failing to follow through on the many initiatives that gone through years of consultation and obfuscation.

With regard to this location there is the also the issue of glare from the panels so close to the landing strip for GFS. This could have an impact on safe take off and landings.

Mary Mulvihill



Advisory Clauses

- (a) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
  - (i) the Site comprises an Old Schedule Agricultural Lot held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government; and
  - (ii) should planning approval be given to the planning application, the lot owner(s) will need to apply to his office to permit the structure(s) to be erected or regularise any irregularities on-site, if any. Besides, given the proposed use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. Applications for any of the above will be considered by LandsD acting in the capacity as the landlord or lessor at its sole discretion and there is no guarantee that such application(s) will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of rent or fee, as may be imposed by LandsD.
- (b) to note the comments of the Commissioner for Transport (C for T) that the Site is connected to the public road network via section of a local access road which is not managed by TD. The land status of the local access road should be checked with LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly.
- (c) to note the comments of the Director of Environmental Protection (DEP) to strictly comply with relevant pollution control ordinances, including Waste Disposal Ordinance and Water Pollution Control Ordinance, and to implement appropriate pollution control measures to minimise any potential environmental impacts during construction of the project. Reference could be made to relevant publications / guidelines including Recommended Pollution Control Clauses for Construction Contracts and Professional Persons Environmental Consultative Committee Practice Notes (ProPECC PN) 1/94, "Construction Site Drainage".
- (d) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that the applicant shall adopt appropriate measures to avoid polluting the Kam Tin River (**Plan R-2**) located to the north of the Site.
- (e) to note the comments of the Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) that:
  - (i) the Site of about 781.5m<sup>2</sup> falls within the "Agriculture" ("AGR") zone on the respective Outline Zoning Plan and is situated in an area surrounded by temporary structures and village type development of 1 to 3 storeys and some agricultural land, which is predominantly rural in character;

- (ii) the current application seeks planning permission for a proposed solar energy system involving 176 solar panels (1.755m long x 1.038m wide x 0.035m high each) with a total height of 1.5m and a single storey control room (about 6m high). According to the Assessment Criteria for Considering Applications for Solar Photovoltaic System (SPV) made under Section 16 of the Town Planning Ordinance promulgated by Town Planning Board in July 2020, the height of the proposed structures should be in keeping with the surrounding area/ developments and the applicant has to demonstrate that such SPV system will not have significant adverse visual impacts; and
  - (iii) the proposed solar energy system will, to a certain extent, bring forth change to the visual context of the area where is predominantly by rural character. Nevertheless, as shown in the visual illustration (Appendix Ia of **Annex A**), a fence wall (2.5m high) will be installed along the site boundary to alleviate the visual impact of the solar panels (1.5m high). As such, significant visual impact is not envisaged. To further soften the edge and provide visual interest, the applicant is advised to improve the design of the boundary fencing and explore more mitigation measures such as buffer planting, vertical greening.
- (f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that the applicant shall maintain all the drainage facilities on-site in good condition and ensure that the proposed development would neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc.
- (g) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) before any new building works (including containers/open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the Building Authority should be obtained, otherwise they are unauthorised building works (UBW) under the Building Ordinance (BO). An Authorised Person should be appointed as the coordinator for the proposed building works in accordance with the BO;
  - (ii) for UBW erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with the prevailing enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO;
  - (iii) the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively;
  - (iv) the Site does not abut on a specified street of not less than 4.5m wide, and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage; and

- (v) detailed checking under the BO will be carried out at the building plan submission stage.
- (h) to note the comments of the Director of Fire Services (D of FS) that:
  - (i) in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSIs to be installed should be clearly marked on the layout plans; and
  - (ii) the applicant is reminded that if the proposed structure(s) is required to comply with the BO, detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.
- (i) to note the comments of the Director-General of Civil Aviation (DGCA) that regarding the installation of solar panels, the applicant is reminded for the glare that may be caused by the panels. While there is no specific requirement on the reflection of solar panels from aviation safety perspective, Article 47 of Air Navigation (Hong Kong) Order (Cap. 448C) stated that, "A person shall not recklessly or negligently act in a manner likely to endanger an aircraft or any person therein." The reflection rate of solar panels with anti-reflective coating of around 5% is most advisable.



Assessment Criteria for Considering Applications for Solar Photovoltaic System  
made under Section 16 of the Town Planning Ordinance

Feed-in Tariff and Solar Photovoltaic System

1. Development of renewable energy (RE) is an important part of the Government's efforts in combating climate change. Increasing the use of RE, a zero-carbon energy, can help decarbonize the electricity generation sector, which contributes to about two-thirds of the carbon emissions in Hong Kong. The policy is for the Government to take the lead in developing RE where technically and financially feasible and to create conditions that are conducive to community participation. Against this background, Feed-in Tariff (FiT) was introduced under the post-2018 Scheme of Control Agreements (SCAs) between the Government and the two power companies, i.e. The Hongkong Electric Company, Limited (HKE) and CLP Power Hong Kong Limited (CLP) to provide incentives for individuals and non-Government bodies to invest in RE, including solar photovoltaic (SPV) system. Under the SCAs, FiT is offered for electricity generated by the RE systems throughout the project life of the RE systems<sup>1</sup> or until 31 December 2033, whichever is the earlier.
2. A SPV system includes SPV panels, inverter(s), energy meters, distribution board(s), cables and other components as necessary to form a complete grid connected SPV installation. The two key components are SPV panels and inverter(s). SPV panels convert sunlight into electricity. The inverter(s) convert the output direct current (DC) of the solar panels into alternating current (AC). A typical SPV system is shown in **Figure 1**.

Statutory Planning Provision for Solar Photovoltaic System

3. In general, SPV systems are commonly found on (i) rooftop of New Territories Exempted House (NTEH); (ii) rooftop of private buildings; and (iii) vacant land.
4. If installation of SPV system is incidental to, directly related and ancillary to and commensurate in scale with a permitted use/development within the same zone or at the rooftop of NTEH or private building, it is regarded as an ancillary use for supplementing power supply to the use/development, household or building<sup>2</sup>. No planning permission for the system is required.
5. Installation of SPV system as a stand-alone facility on vacant land for the FiT Scheme would be regarded as 'Public Utility Installation' ('PUI'), which is always permitted in "Commercial", "Government, Institution or Community", "Industrial", "Industrial (Group D)", "Open Storage", "Other Specified Uses" ("OU") annotated "Business" and "OU" annotated "Industrial Estate" zones. Planning application is required for stand-alone SPV system for FiT Scheme in areas where 'PUI' is a Column 2 use under the statutory plan concerned. Any such planning permission granted would be for 'Public Utility Installation (Solar Photovoltaic System for the FiT Scheme)'. Only temporary approval would be considered where there may be potential impact generated by the proposed SPV system which needs to be closely monitored or that the long-term planning intention of the zone

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<sup>1</sup> The lifespan of a SPV system is about 20 to 25 years.

<sup>2</sup> Installation of SPV system for generating electricity for a permitted use, such as that for a farm, green house/farm structures in the "Agriculture" zone mainly for generating electricity for agricultural purposes, or that installed in connection with NTEH in "Village Type Development" zone, are also regarded as an ancillary use.

may be frustrated by the proposed use.

#### Assessment Criteria for Planning Applications

6. The following criteria should be taken into account in assessing planning applications for SPV system made under section 16 of the Town Planning Ordinance:
  - a) it is a prerequisite for the applicant to obtain the 'Consent Letter' or 'Acknowledgement Letter' from HKE and CLP respectively and submit a copy of the document together with the application to demonstrate the technical feasibility of the scheme in terms of serviceability, electrical safety and output generated by the SPV system;
  - b) unless with strong justifications, the SPV system, including the height of the proposed structures, should be in keeping with the surrounding area/developments and commensurate with the function(s) it performs;
  - c) for optimisation of use of land, favourable consideration may be given if viability of co-existence of the proposed SPV system and uses that are in line with the long-term planning intention of the land use zoning of the application site could be satisfactorily demonstrated;
  - d) it has to be demonstrated to the satisfaction of the relevant government departments that the SPV system will not have significant adverse impacts, including but not limited to those relating to the environment, drainage, sewerage, traffic, geotechnical safety, landscape and visual<sup>3</sup> and, where needed, appropriate measures are to be adopted to mitigate the impacts;
  - e) unless with strong justifications<sup>4</sup>, proposals involving extensive site formation, vegetation clearance/tree felling, excavation or filling of land/pond are generally not supported;
  - f) planning applications with proposed felling of existing Old and Valuable Trees (OVTs), potentially registrable OVTs, and trees of rare or protected species should not be supported. If tree removal is unavoidable, subject to the advice of relevant government departments, compensatory tree planting and/or landscape treatments should be provided within the application site as appropriate;
  - g) for SPV system falling within water gathering grounds, information should be provided to the satisfaction of the relevant government departments that the system, including its installation, maintenance and operation, will not contaminate the water supply;

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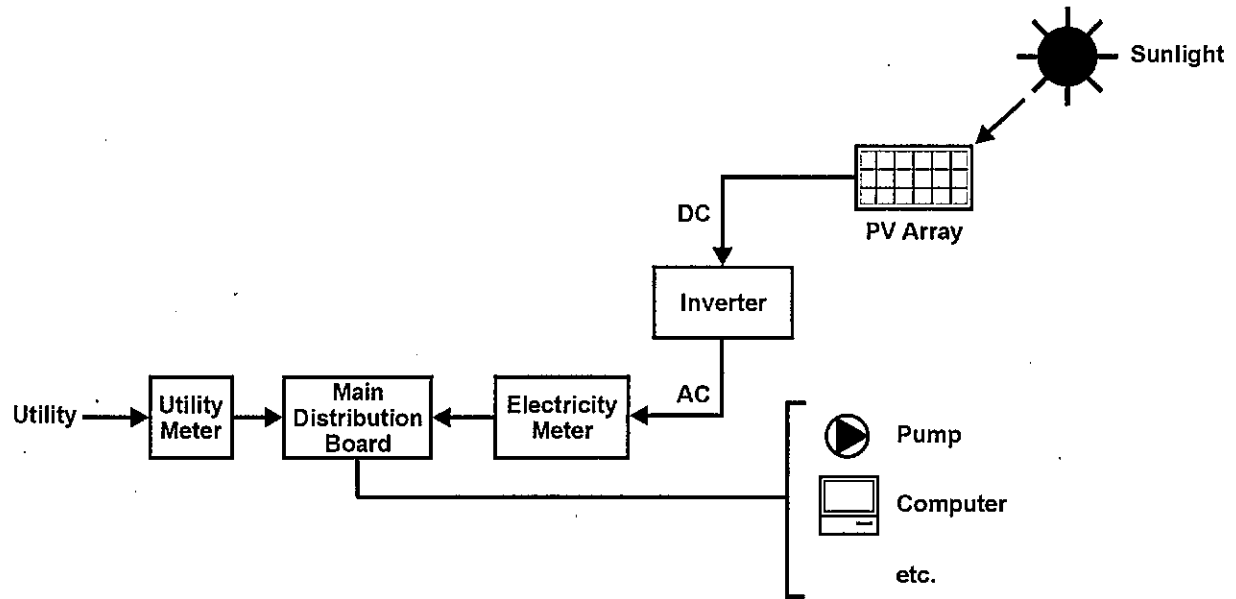
<sup>3</sup> The applicant has to demonstrate that the proposal would not affect the visual and landscape amenities/character of the area adversely by, for instance, causing a significant change of landscape resources/character, dwarfing the surrounding developments or catching the public's visual attention due to the scale and prominence of the proposed installation. Where appropriate, measures should be taken to mitigate the visual/landscape impact, for example, by peripheral screen planting.

<sup>4</sup> Ground-mounted SPV system is usually on steel frame or concrete plinth. It should normally not involve extensive site formation, excavation or filling of land.



- h) where the installation is proposed to be in area close to airports and/or heliports, or major roads, it has to be demonstrated to the satisfaction of the relevant government departments that the SPV system should not cause glare to pilots/drivers and/or unacceptable adverse impact on aviation and/or traffic safety;
- i) the planning intention of “Agriculture” (“AGR”) zone is to retain and safeguard good quality agricultural farm land/fish ponds for agricultural purposes. SPV system ancillary to agricultural use would not require planning permission (as explained in Footnote 2 under Paragraph 4). Planning application for stand-alone SPV system as ‘PUI’ use in the “AGR” zone is generally not supported except those on land with no active farming activities and low agricultural rehabilitation potential. For application on fish ponds in the “AGR” zone, the applicant has to demonstrate that the SPV system will not hinder the use of the site for fisheries purposes;
- j) as there is a general presumption against development in the “Green Belt” (“GB”) zone, planning application within the “GB” zone is normally not supported unless with strong justifications. It has to be demonstrated to the satisfaction of the relevant government departments that the SPV system would not adversely affect the landscape character/resources of the “GB” zone and jeopardise the integrity of the zone as a buffer;
- k) due to the sensitive nature of the conservation zones, such as the “Conservation Area”, “Coastal Protection Area” and “Site of Specific Scientific Interest” zones, planning application for SPV system within such zones is normally not supported to avoid any possible irreversible damages caused to the ecology or environment of the area within the zone;
- l) all other statutory or non-statutory requirements of the relevant government departments must be met. Depending on the specific land use zoning of the application site, the relevant Town Planning Board guidelines should be observed, as appropriate; and
- m) approval conditions to address the technical issues, if any, within a specified time and clauses to revoke the permission for non-compliance with approval conditions may be imposed as appropriate.

Figure 1



Extracted from EMSD website HK RE Net:  
[https://re.emsd.gov.hk/english/solar/solar\\_ph/PV\\_Systems.html](https://re.emsd.gov.hk/english/solar/solar_ph/PV_Systems.html)

### Typical Solar Photovoltaic System