

**Previous S.16 Applications covering the Application Site**

*Approved Applications*

<b>Application No.</b>	<b>Uses/Development</b>	<b>Date of Consideration</b>
A/YL-HT/301	Temporary Open Storage of Construction Materials for a Period of 3 Years	18.6.2004 (on appeal)
A/YL-HT/484	Renewal of Planning Approval for Temporary Open Storage of Construction Materials for a Period of 3 Years	11.5.2007
A/YL-HT/673	Renewal of Planning Approval for Temporary Open Storage of Construction Materials for a Period of 3 Years	7.5.2010
A/YL-HT/748	Proposed Temporary Warehouse for Storage of Construction Material and Recyclable Material (including Metal and Plastic Goods) with Ancillary Vehicle Repair Workshop for a Period of 3 Years	2.9.2011 (revoked on 2.11.2012)
A/YL-HT/894	Proposed Temporary Warehouse for Storage of Machinery and Spare Parts for a Period of 3 years	4.4.2014
A/YL-HT/1067	Renewal of Planning Approval for Temporary Warehouse for Storage of Machinery and Spare Parts for a Period of 3 Years	3.3.2017
A/HSK/196	Temporary Warehouse for Storage of Construction Material, Machinery and Spare Part for a Period of 3 Years	13.12.2019
A/HSK/401	Temporary Warehouse for Storage of Construction Materials, Machinery and Spare Parts for a Period of 3 Years	23.9.2022

Rejected Applications

<b>Application No.</b>	<b>Uses/Development</b>	<b>Date of Consideration</b>	<b>Rejection Reason(s)</b>
A/YL-HT/174	Proposed Temporary Vehicle Park for Private Cars, Light Goods Vehicles, Lorries and Container Trailers for a Period of 3 Years	8.12.2000	(1) - (3)
A/YL-HT/192	Temporary Container Trailer Park for a Period of 3 Years	30.3.2001	(1) - (3)

Rejection Reason(s)

- (1) Not compatible with the surrounding areas.
- (2) Insufficient information to demonstrate no adverse traffic impact on the surrounding areas.
- (3) Insufficient information to demonstrate no adverse environmental and drainage impacts on the surrounding areas.

**Government Departments' General Comments**

**1. Traffic**

(a) Comments of the Commissioner for Transport:

No adverse comment on the application from traffic engineering point of view.

(b) Comments of the Chief Highway Engineer/New Territories West, Highways Department:

No objection to the application from highway maintenance point of view.

**2. Drainage**

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

- no in-principle objection to the application from drainage point of view; and
- a condition should be stipulated requiring the applicant to maintain the existing drainage facilities, and to submit condition record of the existing drainage facilities to his satisfaction.

**3. Fire Safety**

Comments of the Director of Fire Services:

- no in-principle objection to the proposal subject to fire service installations (FSIs) being provided to his satisfaction; and
- 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.

**4. Environment**

Comments of the Director of Environmental Protection:

- no objection to the application; and
- there was no environmental complaint pertaining to the application site (the Site) received in the past three years.

**5. Building Matters**

Comments of the Chief Building Surveyor/New Territories West, Buildings Department:

- no objection to the application; and
- no record of approval granted by the Building Authority for the existing structures.

## 6. Long-term Development

(a) Comments of the Project Manager (West), Civil Engineering and Development Department (CEDD):

- the Site falls within the study area of Lau Fau Shan Development under the consultancy Agreement No. CE 5/2024 (CE) “Developments at Lau Fau Shan, Tsim Bei Tsui and Pak Nai areas – Investigation”, which is the Investigation Study and jointly commissioned by Planning Department and CEDD. The implementation programme and land resumption/clearance programme of the Lau Fau Shan Development is currently being reviewed under the Investigation Study and subject to change; and
- if the planning application is granted, notwithstanding the validity period, the applicant should note his advisory comments at **Appendix IV**.

(b) Comments of the Director of Leisure and Cultural Services:

- no in-principle objection to the application; and
- he has no plan to develop the Site into public open space in the upcoming three years.

## 7. District Officer’s Comments

Comments of the District Officer (Yuen Long), Home Affairs Department:

- no comment from departmental point of view; and
- his office has not received any comment from the locals on the application.

## 8. Other Departments’ Comments

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

- Chief Engineer/Construction, Water Supplies Department;
- Chief Town Planner/Urban Design and Landscape Section, Planning Department;
- Chief Geotechnical Engineer (Slope Maintenance Section), Lands Department; and
- Head of the Geotechnical Engineering Office, Civil Engineering and Development Department.

**Recommended Advisory Clauses**

- (a) to resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (b) prior planning permission should have been obtained before commencing the proposed use at the Site;
- (c) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the Short Term Waiver (STW) holder(s) will need to apply to his office for modification of the STW conditions where appropriate and the lot owner(s) should apply to his office for the STW and Short Term Tenancy (STT) to permit the structures erected within the said private lots and the occupation of the GL. The application(s) for STW and STT will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The application(s), if approved, will be subject to such terms and conditions including the payment of waiver fee, rent and administrative fee as considered appropriate by LandsD. Besides, given the applied use is temporary in nature, only erection of temporary structures will be considered;
- (d) to note the comments of the Chief Geotechnical Engineer (Slope Maintenance Section), Lands Department that from the slope maintenance point of view, for the ease of slope maintenance, it is recommended to include the portion of sub-division 1 of feature No. 6NW-A/C34 overlooking the Site into the application for STW/STT so that the maintenance responsibility of the subject slope portion will be taken up by the applicant;
- (e) to note the comments of the Commissioner for Transport that:
- sufficient manoeuvring spaces shall be provided within the Site or its adjacent area. No vehicles are allowed to queue back to public roads or reverse onto/from public roads; and
  - the local track leading to the Site is not under Transport Department's purview. The applicant shall obtain consent of the owners/managing departments of the local track for using it as the vehicular access to the Site;
- (f) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
- the local access from Deep Bay Road to the Site is not maintained by HyD and HyD will not take up the maintenance responsible of the access; and
  - adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (g) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department that the required condition record should include coloured photos showing the current condition of the drainage facilities and a layout plan indicating the locations of the photos taken. The submitted photos should cover all internal surface channels, catch pits, sand traps, manholes, terminal catch pits/manholes and the downstream discharge path as indicated on the submitted drainage proposal;
- (h) to note the comments of the Chief Town Planner/Urban Design & Landscape, Planning Department that the approval of the planning application does not imply approval of the tree works such as pruning, transplant and/or felling under lease. The applicant is reminded to approach relevant authority/government department(s) direct to obtain the necessary approval

for any tree works, where appropriate;

- (i) to note the comments of the Director of Environmental Protection that the applicant is advised that:
- to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites”;
  - to follow the relevant guidelines and requirements in relevant Professional Persons Environmental Consultative Committee Practice Notes (ProPECCPNs). If septic tank and soakaway system will be used in case of unavailability of public sewer, its design and construction shall follow the requirements of ProPECC PN 1/23 “Drainage Plans subject to Comment by the Environmental Protection Department” including completion of percolation test and certification by Authorized Person;
  - to provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the applied use; and
  - to meet the statutory requirements under relevant environmental legislation;
- (j) to note the comments of the Director of Fire Services (D of FS) that:
- the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy and the location of where the proposed fire service installations to be installed should be clearly marked on the layout plans; and
  - if the proposed structures are required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;
- (k) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- 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. The Site does not abut on a specified street of not less than 4.5 m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage;
  - if the existing structures are erected on leased land without the approval of the Building Authority (BA), they are unauthorized building works (UBW) under the BO and should not be designated for any applied use under the application;
  - for UBW erected on leased land, enforcement action may be taken by the 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;
  - 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 BA should be obtained, otherwise they are UBW under the BO. An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO; and

- any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings are subject to the control of Part VII of the B(P)R. Detailed checking under the BO will be carried out at building plan submission stage; and
- (l) to note the comments of the Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD) that the Site falls within the study area of Lau Fau Shan Development under the consultancy Agreement No. CE 5/2024 (CE) “Developments at Lau Fau Shan, Tsim Bei Tsui and Pak Nai areas – Investigation”, which is the Investigation Study and jointly commissioned by Planning Department and CEDD. The implementation and land resumption/clearance programme of the Lau Fau Shan Development is currently being reviewed under the Investigation Study and subject to change. The applicant should be reminded that the Site may be resumed at any time during the planning approval period for potential development project and advised not to carry out any substantial works therein.