

Previous s.16 Applications covering the Application Site

Approved Applications

<u>Application No.</u>	<u>Development(s)/ Use(s)</u>	<u>Date of Consideration (RNTPC)</u>
A/TM-LTY Y/379	Temporary Public Vehicle Park (Private Cars Only) with Ancillary Office for a Period of 3 Years	13.12.2019 [Revoked on 13.1.2022]
A/TM-LTY Y/380	Proposed Temporary Shop and Services (Pet Supplies and Food Shop) for a Period of 3 Years	13.12.2019 [Revoked on 13.3.2021]
A/TM-LTY Y/432	Temporary Public Vehicle Park (Private Cars Only) with Ancillary Office and Guard Room for a Period of 5 Years	5.5.2023 [Revoked on 5.5.2024]

Government Departments' General Comments

1. Traffic

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

- No comments on the application from the highways maintenance viewpoint.
- Advisory comments as detailed in **Appendix IV**.

2. Environment

Comments of the Director of Environmental Protection (DEP):

- No objection to the application from environmental planning perspective.
- No environmental complaint pertaining to the application site (the Site) were received in the past three years.
- Advisory comments as detailed in **Appendix IV**.

3. Drainage

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

- No objection to the application from the public drainage viewpoint.
- No specific comments on the drainage proposal submission.
- Should the application be approved, a condition should be included to request the applicant to implement the drainage proposal for the Site to ensure that it will not cause adverse drainage impact to the adjacent areas. The applicant could make reference to DSD Technical Note No.1 - Technical Note to prepare a "Drainage Submission".
- Advisory comments as detailed in **Appendix IV**.

4. Building Matters

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

- No objection to the application.
- Advisory comments as detailed in **Appendix IV**.

5. District Officer's Comments

Comment of the District Officer (Tuen Mun), Home Affairs Department (DO(TM), HAD):

His office has not received any public comment on the application.

6. Other Departments

The following departments have no objection to/no comment on the application and their advisory comments, if any, are in **Appendix IV**.

- Director of Fire Services (D of FS);
- Director of Electrical and Mechanical Services (DEMS);
- Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD); and
- Commissioner of Police (C of P).

Recommended Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the application site (the Site);
- (b) to resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (c) to note the comments of the District Lands Officer/Tuen Mun, Lands Department (DLO/TM, LandsD) that:
 - (i) the Site comprises Old Schedule Agricultural Lots 1156 RP (Part), 1157 (Part) and 1158 (Part) in D.D.130 (“the Lots”) held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government and Government land (GL);
 - (ii) the Lots owner/applicant shall either (i) remove the unauthorised structures not covered by the application immediately; or (ii) include the unauthorised structures for the further consideration by the relevant departments and, subject to the approval of the Town Planning Board to the application which shall have reflected the rectification or amendment as aforesaid required, apply to his office for an Short Term Waiver (“STW”) to permit the structures erected. The application for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STW, if approved, will be subject to such terms and conditions including the payment of waiver fee and administrative fee as considered appropriate to be imposed by LandsD. In addition, LandsD reserves the right to take enforcement action against the Lots owner/applicant for any breach of the lease conditions, including the breaches already in existence or to be detected at any point of time in future;
 - (iii) the Site is accessible via a strip of GL leading from Wong Kong Wai Road. His office does not carry out maintenance works for the said access nor guarantee that any right-of-way to the Site will be given. The applicant shall be responsible for his own access arrangement; and
 - (iv) his office reserves the right to take lease enforcement actions as considered appropriate against any unauthorised erection/extensions/alterations of the structures erected or to be erected within the Lots or any unauthorised occupation of GL at any time irrespective of whether planning permission will be given or not. Enforcement action will be taken should any structures be found erected without prior approval given by his office or be in breach of the approval given;
- (d) to note the comments of the Commissioner for Transport (C for T) that:
 - (i) there shall be no queuing and/or waiting of motor vehicles from the Site onto Wong Kong Wai Road and no motor vehicles shall be permitted to reverse into and out of the Site onto Wong Kong Wai Road; and
 - (ii) the vehicular run-in/out on the footpath of Wong Kong Wai Road shall be constructed up to relevant Highways Department’s (HyD) standard;

- (e) to note the comments of the Chief Highway Engineer/New Territories West, HyD (CHE/NTW, HyD) that:
- (i) the vehicular access arrangement should be commented by the Transport Department;
 - (ii) adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains; and
 - (iii) HyD shall not be responsible for the maintenance of any access connecting between the Site and Wong Kong Wai Road. If a run-in/out on the footpath of Wong Kong Wai Road is required, it shall be constructed up to relevant HyD's standard;
- (f) to note the comments of the Director of Environmental Protection (DEP) that the applicant is advised to observe and follow the environmental measures in the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' and comply with relevant environmental protection and pollution control ordinances;
- (g) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
- (i) the applicant is required to maintain his drainage facilities/system properly and rectify them if they are found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify claims and demands arising out of any damage and/or nuisance caused by failure of his facilities/system;
 - (ii) the applicant should construct and maintain the proposed drainage facilities whether within or outside the subject lots at his own expense;
 - (iii) the Site is in an area where public sewerage connection is not available. Environmental Protection Department (EPD) should be consulted regarding sewage treatment/disposal facilities for the proposed development; and
 - (iv) as regards the photo records submitted by the applicant demonstrating the implementation of the drainage proposal, he has the following comments from public drainage viewpoint:

Specific Comments

- (a) photo records of catchpits CPI and CP2 are missing. Please supplement;
- (b) photo records of the U-channels at the upstream of CP3 and upstream of CPI are missing. Please supplement;
- (c) photos 1, 2 & 5 refer. Steel decking plates were laid on top of the U-channels, such practice should be avoided since it may obstruct surface runoff collection by the U-Channels. Please review;
- (d) in all the photo records, the U-channels and catchpits were covered by

grating and the internal conditions are unknown. Please provide photo records demonstrating the sizes and internal conditions of the U-channels and catchpits. The applicant is reminded that the sizes of the U-channels and catchpits should tally with the accepted drainage proposal, and the internal conditions should be free of silt/debris/obstructions;

General Comments

- (e) the limited desktop checking by the Government on the drainage proposal covers only the fundamental aspects of the drainage design which will by no means relieve his obligations to ensure that (i) the proposed drainage works will not cause any adverse drainage or environmental impacts in the vicinity; and (ii) the proposed drainage works and the downstream drainage systems have the adequate capacity and are in good conditions to accommodate all discharge water collected from his lots and all upstream catchments. The applicant shall effect any subsequent upgrading of these proposed works and the downstream drainage systems whenever necessary;
- (f) the existing discharge location to which the applicant proposed to discharge the stormwater from the Site is not maintained by DSD. The applicant should identify the owner of the existing discharge location to which the proposed connection will be made and obtain agreement from the owner prior to commencement of proposed works;
- (g) the applicant should make good all the adjacent affected areas upon the completion of the drainage works;
- (h) the cover levels of proposed U-channels and catch pits should be flush with the adjoining ground level;
- (i) the proposed sand-trap/catchpit should be regularly desilted by the applicant to prevent sand and silt from being washed into the existing drainage system/channel at its downstream;
- (j) the applicant shall allow all time free access for the Government and its agent to conduct site inspection on his completed drainage works, if necessary;
- (k) the applicant is reminded that the development should neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc;
- (l) the applicant should consult DLO/TM, LandsD and seek agreement from relevant owners for any drainage works to be carried out outside his lots boundary before commencement of the drainage works; and
- (m) the applicant shall resolve any conflict/disagreement with relevant lot owner(s) and seek LandsD's permission for laying new sewers/drains/channels and/or modifying/upgrading existing ones in other private lot(s) or on GL (where required) outside the lots;

- (h) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) there is no record of approval by the Building Authority (BA) for any structures at the Site. BD is not in a position to offer comments on its/their suitability for the applied use in the application;
 - (ii) in this application, there is a structure involved. Before any new building works are to be carried out on the Site, the prior approval and consent of the BA should be obtained, otherwise they are unauthorised building works (UBWs). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the Buildings Ordinance (BO);
 - (iii) in connection with (ii) above, 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) if the Site does not abut on a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of B(P)R at the building plan submission stage;
 - (v) if any existing structures are erected on leased land without approval of BD (not being a New Territories Exempted House), they are unauthorised under BO and should not be designated for any approved use under the application;
 - (vi) for UBWs erected on the leased land, including the existing structures under the application, enforcement action may be taken by the BA to effect their removal in accordance with BD's enforcement policy against UBWs as and when necessary. The grant of any planning approval should not be constructed as an acceptance of any existing building works or UBWs on the Site under BO;
 - (vii) if the applied use under the application is subject to issue of a license, the applicant should be reminded that any existing structures on the Site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority; and
 - (viii) detail comments under BO to be provided during building plans submission; and
- (i) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organising and supervising any activity near the underground cable or overhead line under the mentioned document should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the "Code of Practice on Working near Electricity Supply Lines" established under the Regulation when carrying out works in the vicinity of the electricity supply lines.

Urgent Return receipt Expand Group Restricted Prevent Copy

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年03月12日星期四 2:31
收件者: tpbpd/PLAND
主旨: A/TM-LTY Y/512 DD 130 Wong Kong Wai Road
類別: Internet Email

Dear TPB Members,

491 also withdrawn. Back many months later with a further increase to 36 Vehicle Parking.

The images provided indicate a ramshackle operation.

Previous objections relevant and upheld. There is absolutely no justification to grant a further 5 years approval.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Friday, 18 July 2025 2:37 AM HKT
Subject: A/TM-LTY Y/491 DD 130 Wong Kong Wai Road

Dear TPB Members,

477 withdrawn and 5 May revocation now posted. Back with a fresh application and an increase in the number of vehicles to 34.

How can members justify a further roll over of a parking facility that has been in operation for over a decade but never fulfilled drainage conditions?

We have daily reports in the media about flooding. And the potential dangers are increasing.

Members are failing in their duty to ensure public safety by addressing potential hazards like fire risks and environmental impacts.

"Sympathic consideration' is no longer acceptable when the security of the community is in question.

Mary Mulvihill

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

Urgent Return receipt Expand Group Restricted Prevent Copy

Date: Friday, 19 July 2024 2:53 AM HKT

Subject: A/TM-LTY Y/477 DD 130 Wong Kong Wai Road

Dear TPB Members,

It appears that conditions were not fulfilled again as approval was for 5 years.

At this juncture members have a duty to inquire into what the issues are.

Mary Mulvihill

From: [REDACTED]

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

Date: Monday, 22 August 2022 3:29 AM HKT

Subject: A/TM-LTY Y/432 DD 130 Wong Kong Wai Road

A/TM-LTY Y/432

Lots 1156 RP (Part), 1157 (Part) and 1158 (Part) in D.D.130 and Adjoining Government Land, Wong Kong Wai Road, Lam Tei

Site area: About 1,122sq.m Includes Government Land of about 60sq.m

Zoning: "Res (Group C)"

Applied use: 28 Vehicle Parking / 5 Years

Dear TPB Members,

This parking lot has gone through a series of applications and is expanding.

379 APPROVED 13 Dec 2019 SIX extensions of time. Members should question if conditions were eventually fulfilled as the lots are close to residential developments and what are the prospects of the lots being used for residential.

Mary Mulvihill

From: [REDACTED]

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

Date: Tuesday, 27 August 2019 1:34 AM CST

Subject: A/TM-LTY Y/379 DD 130 Wong Kong Wai Road

A/TM-LTY Y/379

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Lots 1156 RP (Part), 1157 (Part) and 1158 (Part) in D.D.130 and Adjoining Government Land, Wong Kong Wai Road, Lam Tei,
Site area : About 763m² Includes Government Land of about 41m²
Zoning "Res (Group C)"
Applied Use : 19 Vehicle Parking

Dear TPB Members,

This application appears to be to legitimize ongoing brownfield use of the site that looks more like container storage.

There are a number of parking spaces within the village and no residential compound nearby.

Application should be rejected in order to encourage site owner to amalgamate lots with others and commence development of residences in line with the zoning intention.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Sunday, 28 April 2019 4:12 AM CST
Subject: A/TM-LTY Y/369 DD 130 Wong Kong Wai Road

A/TM-LTY Y/369

Lots 1156 RP (Part), 1157 (Part) and 1158 in D.D. 130 and Adjoining Government Land, Wong Kong Wai Road, Lam Tei

Site area : 960m² Includes Government Land of about 35.5m²

Zoning : "Res (Group C)"

Applied Use : 23 Vehicle Parking

Dear TPB Members,

The site is paved over and has obviously been used as brownfield for some time. Looks like open storage for excavation for construction machines.

That 40sqmts per vehicles would be devoted to parking a single car is highly unlikely so the application is presumably to legitimize the open storage.

Meanwhile a Res C site that could be used to address the housing shortage we keep hearing about is not fulfilling its intended planning intention.

Mary Mulvihill

From: [REDACTED]

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

Date: Tuesday, 29 January 2019 2:53 AM CST

Subject: A/TM-LTYT/365 DD 130 Wong Kong Wai Road

A/TM-LTYT/365 WITHDRAWN

Lots 1156 RP (Part), 1157 (Part) and 1158 in D.D. 130, Wong Kong Wai Road, Lam Tei

Site area : 960m²

Zoning : "Res (Group C)"

Applied Use : 14 Vehicle Parking plus car washing

Dear TPB Members,

Another application to legitimize long term brownfield use as described in notes.

At grade parking is most inefficient use of scarce land resources and must be phased out. In this case more than 50sqmts per vehicle, the size of a two bedroomed family unit. The 'car washing' element is releasing toxins into soil intended for residential use.

TPB members should recognize the part they have been playing a role in the proliferation of brownfield sites and degradation of the countryside via their far too liberal approval of that most inefficient land use, at grade parking. Vehicles should be parked underground, in custom built high rise towers or on the ground floor of 2,100sqft Net houses or villa developments. .

If parking is indeed required it should be provided in stacked facilities, see attached, thereby freeing up land for other uses. This is obviously an ongoing commercial activity. Please question TD on the ramifications with regard to guidelines and the requisite permit for such uses. Is the revenue being taxed?

As land owners and government departments are reluctant to move forward then TPB should provide impetus by rejecting these plans.

Mary Mulvihill

From: [REDACTED]

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

Urgent Return receipt Expand Group Restricted Prevent Copy

Date: Sunday, 9 July 2017 1:37 AM CST

Subject: A/TM-LTY Y/338 Wong Kong Wai Road

A/TM-LTY Y/338 WITHDRAWN

Lots 1156 RP (Part), 1157 (Part) and 1158 (Part) in D.D. 130, Wong Kong Wai Road, Lam Tei, Tuen Mun

Site area : 789 m²

Zoning : "Res (Group C)"

Applied Use : 33 Vehicle Park

Dear TPB Members,

Apart from being an inappropriate use of land zoned for residential, these car parks are a most inefficient land use and should not be encouraged.

Car parking should be accommodated underground or in purpose built high rise facilities with industrial lifts and other amenities.

Approval would set an undesirable precedent of inappropriate land use and the creation of brownfield sites for what are often shady activities.

Moreover when will parking operators in NT be encouraged to follow the example of the mainland and provide stack parking facilities, see attached image. This would save a lot of valuable land resources.

Mary Mulvihill