

Previous s.16 Application covering the Application Site (the Site)

Approved Application

Application No.	Use(s)/Development(s)	Date of Consideration (Rural and New Town Planning Committee (RNTPC))
A/YL-KTS/893	Proposed Temporary Shop and Services for a Period of 5 Years	23.7.2021 [Revoked on 23.10.2024]

**Similar s.16 Application within the same “V” Zone in the vicinity of the Site
in the past five years**

Approved Application

Application No.	Use(s)/Development(s)	Date of Consideration (RNTPC)
A/YL-KTS/1039	Proposed Temporary Shop and Services (Retail Shop for Hardware Groceries and Construction Materials) with Ancillary Facilities and Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 5 Years and Associated Filling of Pond	20/12/2024

Government Departments' General Comments

1. Land Administration

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

- no adverse comment on the application;
- the application site (the Site) comprises Old Schedule Agricultural Lot held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government;
- the subject Lot is covered by Short Term Waiver (STW) No. 5511 for the purpose of “Temporary Shop and Services and Ancillary Uses as may be approved by DLO”;
- there is no Small House application approved or under processing at the Site; and
- advisory comments are at **Appendix IV**.

2. Traffic

Comments of the Commissioner for Transport:

- no adverse comment from traffic engineering perspective; and
- advisory comments are at **Appendix IV**.

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

- no in-principle objection to the application from highway maintenance point of view; and
- advisory comments are at **Appendix IV**.

3. Environment

Comments of the Director of Environmental Protection:

- no objection to the application from environmental planning perspective;
- there was no environmental complaint case concerning the Site received in the past three years; and
- advisory comments are at **Appendix IV**.

4. Drainage

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

- no in-principle objection to the application from drainage point of view; and

- advisory comments are at **Appendix IV**.

5. **Fire Safety**

Comments of the Director of Fire Services:

- no objection in principle to the application subject to fire service installations (FSIs) being provided to his satisfaction;
- the FSIs proposal submitted by the applicant is considered acceptable; and
- advisory comments are at **Appendix IV**.

6. **Building Matters**

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

- no objection to the application; and
- advisory comments are at **Appendix IV**.

7. **Landscape Aspect**

Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department:

- no significant landscape impact arising from the proposed use is anticipated.

8. **District Officer's Comments**

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

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

9. **Other Departments**

The following government departments have no objection to or no adverse comment on the application and their advisory comments, if any, are at **Appendix IV**:

- Project Manager (West), Civil Engineering and Development Department;
- Chief Engineer/Construction, Water Supplies Department;
- Director of Agricultural, Fisheries and Conservation; and
- Chief Engineer/Railway Development 1-1, Railway Development Office, HyD.

Recommended Advisory Clauses

- (a) the permission is given to the use and/or structure under application. It does not condone any other use(s) and/or structure(s) which currently occur on the application site (the Site) but not covered by the application. Immediate action should be taken to discontinue such use(s) and/or remove such structure(s) not covered by the permission;
- (b) should the applicant fail to comply with any of the approval conditions again resulting in revocation of the planning permission, sympathetic consideration may not be given by the Rural and New Town Planning Committee/Town Planning Board to any further application;
- (c) to resolve any land issues relating to the proposed use with the concerned owner(s) and/or occupant(s);
- (d) District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the Short Term Waiver (STW) holder shall apply to his office for modification of STW conditions where appropriate. The application(s) 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 by LandsD. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered;
- (e) to note the comments of the Commissioner for Transport that the Site is connected to the public road network via a section of a local access road which is not managed by the Transport Department. 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;
- (f) to note the comment of the Chief Highway Engineer/New Territories West, Highways Department (HyD) that:
 - (i) Pat Heung Road is not maintained by HyD. HyD shall not be responsible for the maintenance of proposed access connecting the Site to Pat Heung Road including any local tracks; and
 - (ii) adequate drainage measures shall be provided to prevent surface water running from the Site to nearby public roads and drains;
- (g) to note the comments of the Director of Environmental Protection that:
 - (i) the applicant shall follow the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites';
 - (ii) the applicant shall follow the relevant guidelines and requirements in relevant Professional Persons Environmental Consultative Committee Practice Notes (ProPECCPNs), in particular the ProPECCPN 1/23 'Drainage Plans subject to Comment by the Environmental Protection Department';

- (iii) the applicant shall provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the proposed use; and
 - (iv) the applicant shall meet the statutory requirements under relevant environmental legislation;
- (h) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department that:
- (i) the applicant shall provide his own drainage facilities to collect the runoff generated from the Site or passing through the Site, and discharge the runoff collected to a proper discharge point;
 - (ii) the proposed use should not obstruct overland flow or cause any adverse drainage impact to the adjacent areas and existing drainage facilities; and
 - (iii) the applicant shall consult DLO/YL, LandsD and seek consent from the relevant owners for any drainage works to be carried out outside his lot boundary before commencement of the drainage works;
- (i) to note the comments of the Director of Fire Services that the applicant shall submit a full set of F.S.251, incorporating all proposed fire service installations (FSIs) for his further arrangement of FSI acceptance inspection;
- (j) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that:
- (i) it is noted that one structure is proposed in the application. 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 BO. An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - (ii) 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;
 - (iii) 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 building plan submission stage;
 - (iv) 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;
 - (v) 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; and

- (vi) detailed checking under the BO will be carried out at building plan submission stage;
and
- (k) to note the comments of the Commissioner of Police that the application shall not cause traffic congestion or flooding.

Urgent Return receipt Expand Group Restricted Prevent Copy

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2025年12月12日星期五 3:16
收件者: tpbpd/PLAND
主旨: A/YL-KTS/1105 DD 106 Pat Heung
類別: Internet Email

A/YL-KTS/1105

Lot 1890 S.A ss.3 (Part) in D.D. 106, Pat Heung

Site area: About 33sq.m

Zoning: "Village Type Development"

Applied use: Shop and Services / **5 Years**

Dear TPB Members,

893 approved 23 July 2021. Revoked 23 Oct 2024.

“Adequate mitigation measures will be provided after planning approval has been granted from the Board, 1.e. submission of drainage and fire service installations proposals to mitigate any adverse impact arising from the proposed development.”

This four years later. In the wake of the Wang Fuk Court tragedy this type of procrastination is no longer tolerable.

Any approval should be limited to ONE YEAR OR LESS.

Mary Mulvihill