

**Previous s.16 Application at the Application Site**

<b>No.</b>	<b>Application No.</b>	<b>Proposed Use(s)</b>	<b>Date of Consideration</b>
1.	A/YL-NTM/456	Proposed Temporary Shop and Services for a Period of 5 Years	31.3.2023 Approved by RNTPC <i>[revoked on 31.12.2025]</i>

**Similar s.16 Applications within the “OU(UT) zone in the vicinity of the Site in the Past Five Years**

<b>No.</b>	<b>Application No.</b>	<b>Proposed Use(s)</b>	<b>Date of Consideration</b>
1.	A/YL-NTM/417*	Proposed Temporary Shop and Services (Convenience Store) for a Period of 5 Years	16.4.2021 Approved by RNTPC <i>[revoked on 16.3.2025]</i>
2.	A/YL-NTM/485	Temporary Shop and Services with Ancillary Facilities for a Period of 5 Years	10.10.2025 Approved by RNTPC

\* denotes permission revoked

**Government Departments' General Comments**

**1. Land Administration**

Comments of the District Lands Officer/Yuen Long, Lands Department:

- no adverse comment on the application; and
- advisory comments are detailed in **Appendix V**.

**2. Traffic**

Comments of the Commissioner for Transport:

- no adverse comment on the application from traffic engineering point of view; and
- advisory comments are detailed in **Appendix V**.

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

- no in-principle objection to the application from highways maintenance point of view;
- HyD shall not be responsible for the maintenance of the proposed access connecting the application site (the Site) and Ngau Tam Mei Road, including the local track if any; and
- advisory comments are detailed in **Appendix V**.

**3. Drainage**

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

- no in-principle objection to the application from public drainage point of view;
- the submitted drainage proposal is considered acceptable; and
- should the application be approved, approval conditions requiring the implementation and maintenance of the drainage proposal should be incorporated.

**4. Landscape**

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

- no adverse comment on the application from landscape planning perspective;
- the proposed use is not incompatible with the landscape setting in the proximity and significant adverse landscape impact arising from the proposed use is not anticipated; and
- according to applicant's submission, no adverse landscape impact and tree felling would be caused.

5.

6. **Fire Safety**

Comments of the Director of Fire Services:

- no in-principle objection to the application subject to fire service installations (FSIs) and water supplies for firefighting being provided to his satisfaction;
- the submitted FSIs proposal is considered acceptable; and
- advisory comments are detailed in **Appendix V**.

7. **Environment**

Comments of the Director of Environmental Protection:

- no adverse comment on the application from environmental planning perspective as the proposed use would not involve traffic of heavy vehicle nor dusty operations;
- there was no environmental complaint related to the Site in the past three years; and
- advisory comments are detailed in **Appendix V**.

8. **Building Matters**

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

- no objection to the application; and
- advisory comments are detailed in **Appendix V**.

9. **Other Departments**

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

- Head of the Geotechnical Engineering Office, Civil Engineering and Development Department;
- Chief Engineer/Railway Development 1-1, HyD;
- Director of Agriculture, Fisheries and Conservation;
- Chief Engineer/Construction, Water Supplies Department;
- Director of Electrical and Mechanical Services;
- Commissioner of Police; and
- District Officer (Yuen Long), Home Affairs Department.

**Recommended Advisory Clauses**

- (a) the application site (the Site) falls within the boundary of the Ngau Tam Mei New Development Area (NTM NDA). The Site may be resumed by the Government and the proposed use at the Site may be terminated at any time during the planning approval period for implementation of Government projects;
- (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) the applicant is reminded to resolve any land issues relating to the proposed use with the concerned owner(s) of the Site;
- (d) to note the comments of the Project Manager (West), Civil Engineering and Development Department that the Site falls within the boundary of the NTM NDA and the estimated departure schedule for the areas covering the Site is around Q4 2027.
- (e) to note the comments of the District Lands Officer/Yuen Long, Lands Department (LandsD) that the lot owner(s) shall apply to LandsD for a Short Term Waiver (STW) to permit the structure(s) erected within the Site. 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 by LandsD. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered;
- (f) to note the comments of the Commissioner for Transport (C for T) that:
- the Site is connected to Ngau Tam Mei Road via a section of local access which is not managed by Transport Department. The land status of the local access should be clarified with the LandsD by the applicant. The management and maintenance responsibilities of the local access should also be clarified with the relevant lands and maintenance authorities accordingly;
  - based on the information provided, the ingress/egress point of the Site is located at the private lot(s), the applicant should seek consent from the relevant land owner(s);
  - Ngau Tam Mei Road is designated as a prohibited zone for vehicle exceeding 7 metres in length 24 hours daily. Drivers of all motor vehicles, except those with permits issued by C for T, will be prohibited from driving vehicles exceeding 7 metres in length into the above prohibited zone; and
  - no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (g) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (HyD) that adequate drainage measures should be provided at the Site to prevent surface water running from the Site to the nearby public roads and drains;

- (h) to note the comments of the Director of Environmental Protection that sewage discharge from the Site should be directed to nearby public sewer. In case of unavailability of public sewer, proper sewage collection and treatment facilities should be provided in accordance with the requirements in “Professional Persons Environmental Consultative Committee Practice Note” No. 1/23;
- (i) to note the comments of the Director of Fire Services (D of FS) that:
- a full set of FS 251, incorporating all proposed fire service installations (FSIs), shall be submitted for his further arrangement of the FSI acceptance inspection; and
  - if the proposed structures are required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire services requirements will be formulated upon receipt of formal submission of general building plans;
- (j) to note the comments of the Director of Electrical and Mechanical Services that in the interest of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable or overhead line under the application 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 or overhead line within or in the vicinity of the Site. The Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation should be observed when carrying out works in the vicinity of the electricity supply line; and
- (k) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that:
- there is no record of approval granted by the Building Authority (BA) for the existing structure at the Site, BD is not in a position to offer comments on its suitability for the use proposed in the application;
  - it is noted that two structures are 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 BA 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;
  - 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 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of B(P)R at the building plan submission stage;
  - if the existing structures are erected on leased land without the approval of the BA, they are UBW under the BO and should not be designated for any proposed 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;
- 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
- detailed checking under the BO will be carried out at building plan submission stage.

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**tpbpd/PLAND**

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寄件者: [REDACTED]  
寄件日期: 2026年02月27日星期五 3:42  
收件者: tpbpd/PLAND  
主旨: A/YL-NTM/486 DD 104 Ngau Tam Mei  
類別: Internet Email

Dear TPB Members,

456 approved 31 Mar 2023 and allowed to operate for THREE YEARS without fulfilling conditions.

Are government depts overloaded or lying flat?

Again there are mentions of the conditions but no definitive timeline for implementation.

It is high time that the issue of conditions be taken seriously and non compliance be punished.

The applicaiton should be rejected. Three years is more than sufficient time for both operator and govt depts to get their act together.

Mary Mulvihill

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**From:** [REDACTED]  
**To:** tpbpd <tpbpd@pland.gov.hk>  
**Date:** Wednesday, 1 March 2023 2:02 AM HKT  
**Subject:** A/YL-NTM/456 DD 104 Ngau Tam Mei

A/YL-NTM/456

Lot 630 (Part) in D.D. 104, Ngau Tam Mei, Yuen Long

Site area: About 434sq.m

Zoning: "Recreation"

Applied use: Shop / 1 Vehicle Parking / **5 Years**

Dear TPB Members,

Strong objections. The site is, or was until recently, wooded and covered in natural vegetation.

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Approval of the application would set a precedence and encourage destruction of the natural environment that is compatible with the "R" zoning where there are paths connecting with the basketball court/playground where people can stroll.

Mary Mulvihill