

Previous s.16 Applications covering the Application Site

Rejected Applications

	Application No.	Applied Use(s)/Development(s)	Zoning(s)	Date of Consideration	Rejection Reasons
1	A/YL-HT/414	Temporary Racing Circuit for a Period of 3 Years	"GB" and "AGR"	29.7.2005	(1) to (3)
2	A/YL-PN/41	Temporary Warehouse for Cleaning Supplies and Fertilizers for a Period of 3 Years	"AGR"	2.1.2015	(1), (3) and (4)

Rejection Reasons:

1. No strong justification for a departure from the planning intention.
2. Insufficient information to demonstrate that the development would not have adverse environmental, ecological, traffic, drainage, geotechnical, landscape and/or visual impacts on the surrounding areas.
3. Setting an undesirable precedent.
4. Incompatible with the rural environment and landscape character.

Government Bureau/Departments' General Comments

1. Land Administration

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

- (a) The application site (the Site) comprises Old Schedule Agriculture Lots (OSALs) held under Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government.
- (b) The applicant should note his advisory comments at **Appendix IV**.

2. Traffic

(i) Comments of the Commissioner for Transport (C for T):

- (a) He has no adverse comment on the application from traffic engineering perspective.
- (b) The applicant should note his advisory comments at **Appendix IV**.

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

- (a) He has no objection to the application from highway maintenance perspective.
- (b) The applicant should note his advisory comments at **Appendix IV**.

3. Environment

Comments of the Director of Environmental Protection (DEP):

- (a) In view that the proposed temporary use will not generate traffic of heavy vehicles as mentioned in the planning supporting document, he has no objection to the application from environmental planning perspective.
- (b) There is no substantiated environmental complaint pertaining to the Site in the past three years.
- (c) The applicant should note his advisory comments at **Appendix IV**.

4. Landscape

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

From the site photos taken in March 2026, the Site is formed without any trees. No distinctive landscape resources and/or mature trees are observed within the Site.

5. Drainage

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

- (a) He has no objection in principle to the application from drainage point of view.
- (b) Should the Town Planning Board consider the application acceptable from the planning point of view, an approval condition should be stipulated requiring the applicant to submit a drainage proposal, to implement and maintain the proposed drainage facilities to his satisfaction.
- (c) The applicant should note his advisory comments at **Appendix IV**.

6. Fire Safety

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 being provided to his satisfaction.
- (b) The applicant should note his advisory comments at **Appendix IV**.

7. Project Interface

Comments of the Project Manager (West) (PM(W)), CEDD:

- (a) 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 PlanD 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.
- (b) If the planning application is granted, notwithstanding its validity period, the applicant should note his advisory comments at **Appendix IV**.

8. District Officer's Comments

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

His office has not received any feedback from locals.

9. Other Departments' Comments

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

- (a) Chief Building Surveyor/New Territories West, Buildings Department;
- (b) Chief Engineer/Construction, Water Supplies Department;
- (c) Chief Engineer/Land Works, Civil Engineering and Development Department;

- (d) Chief Engineer/Northern Metropolis Railway, Highways Department;
- (e) Executive Secretary (Antiquities & Monuments), Antiquities and Monuments Office
Development, Development Bureau; and
- (f) Commissioner of Police.

Recommended Advisory Clauses

- (a) to resolve any land issues relating to the development with the concerned owner(s) of the application site (the Site);
- (b) failure to reinstate the Site as required under the relevant approval condition upon expiry of the planning permission might constitute an unauthorized development under the Town Planning Ordinance and be subject to enforcement and prosecution actions;
- (c) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the lot owner(s) shall apply to LandsD for Short Term Waiver(s) (STW(s)) to permit the structure(s) erected within the said private lots. The application for STW(s) will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The application, 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;
- (d) to note the comments of the Commissioner for Transport (C for T) that sufficient manoeuvring space 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;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that the proposed vehicular access should be commented by the Transport Department (TD). The run-in/out from Nim Wan Road to the Site should be constructed and maintained by the applicant. Adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (f) to note the comments of the Director of Agriculture, Fisheries and Conservation that there is a watercourse and ponds near the Site. The applicant is advised to take appropriate measures to minimise disturbance and pollution to the nearby waterbodies;
- (g) to note the comments of the Director of Environmental Protection (DEP) that the applicant is reminded 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 (CoP), including S(2) and S(5) of Notes to Annex 1, and comply with relevant environmental protection and pollution control ordinances during operation;
- (h) to note the comments of the Chief Engineer/Mainland North (CE/MN, DSD) on the submitted drainage proposal:
 - (i) the applicant/owner should have its own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from surrounding of the Site, e.g. surface channel of sufficient size along the perimeter of the Site; sufficient openings should be provided at the bottom of the boundary wall/fence to allow surface runoff to pass through the Site if any boundary wall/fence are to be erected. Any existing flow path affected should be re-provided;
 - (ii) the applicant/owner should neither obstruct overland flow nor adversely affect the existing natural streams, village drains, ditches and the adjacent areas;

- (iii) there is no details on site layout, site cross section and the information/condition of existing water course / drainage facilities provided in the application. As such, only preliminary comments are provided;
 - (iv) it is assumed that the existing water course and drainage facilities remain unchanged and should not be affected / altered / modified;
 - (v) any earth filling of the watercourse, drainage diversion works or modification works is not allowed unless a drainage proposal is submitted and accepted;
 - (vi) the applicant/owner should be reminded that their drainage facilities shall be properly designed, constructed and maintained in good condition without causing adverse drainage impact to the adjacent area at all times, and the applicant/owner is required to rectify/modify the drainage systems if they are found to be inadequate or ineffective to accommodate the additional runoff arisen from the application; and
 - (vii) the applicant/owner shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure or ineffectiveness of the drainage systems caused by their application;
- (i) 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 the 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;
- (j) to note the comments of the Commissioner of Police that adequate space for large vehicle to maneuver safely at the concerned location and proper traffic arrangement should be organized by the applicant. The traffic impact shall also be addressed properly, as Nim Wan Road is the only vehicular access to Sheung/Ha Pak Nai;
- (k) to note the comments of the Executive Secretary (Antiquities and Monuments), Antiquities and Monuments Office (ES/AM, AMO) that the Site is situated within the Sheung Pak Nai Site of Archaeological Interest. The applicant is required to confirm/clarify with the AMO whether there is any ground excavation proposed for the development including but not limited to site formation works, drainage works, sewerage works, construction of septic tank etc. If affirmative, the applicant is required to provide details of the proposed works, e.g. the location, extent and depth of the proposed ground excavation for AMO's further comment;
- (l) to note the comments of the Director of Fire Services (D of FS) that:
- (i) in consideration of the design/nature of the application, the applicant is advised to submit relevant layout plans incorporated with the proposed fire service installations (FSIs) to his department for approval;
 - (ii) the layout plans should be drawn to scale and depicted with dimensions and the nature of occupancy;

- (iii) the location of the proposed FSIs to be installed should be clearly marked on the layout plans; and
 - (iv) if the proposed structures are required to comply with the Buildings Ordinance (Cap. 123) (BO), detailed fire safety requirements will be formulated upon receipt of the formal submission of general building plans; and
- (m) to note the comments of the Chief Building Surveyor/New Territories West (CBS/NTW), BD that:
- (i) it is noted that two structures and associated filling of land 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 Building Authority should be obtained, otherwise they are unauthorized building works (UBW) under BO. An Authorized 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 the 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 and 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.

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寄件者: [REDACTED]
寄件日期: 2026年04月02日星期四 16:35
收件者: tpbpd/PLAND
主旨: KFBG's comments on five planning applications
附件: 260402 s16 HTF 1208.pdf; 260402 s16 PN 90.pdf; 260402 s16 TT 775.pdf; 260402 s16 LFS 605.pdf; 260402 s16 MKT 59.pdf

類別: Internet Email

Dear Sir/ Madam,

Attached please see our comments regarding five applications. There are five pdf files attached to this email. If you cannot see/ download/ open these files, please notify us through email.

Please do not disclose our email address.

Thank You and Best Regards,

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden

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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)

2nd April, 2026.

By email only

Dear Sir/ Madam,

**Proposed Temporary Storage of Fertiliser and Food Processing Material and
Associated Filling of Land for a Period of 3 Years**
(A/YL-PN/90)

1. We refer to the captioned.
2. There is a rejected application covering the current application site (A/YL-PN/41; Temporary Warehouse for Cleaning Supplies and Fertilizers for a Period of 3 Years). The reasons for rejection of this application are as follows:

(a) the "Agriculture" ("AGR") zone 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. The development is not in line with the planning intention of the "AGR" zone. There is no strong planning justification for a departure from the planning intention, even on a temporary basis;

(b) the development is incompatible with the rural environment and landscape character of the surrounding area; and

(c) approval of the application, even on temporary basis, would set an undesirable precedent for similar applications within the "AGR" zone. The cumulative effect of approving such applications would result in the encroachment of good agricultural land and a general degradation of the environment of the area.





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Kadoorie Farm & Botanic Garden Corporation

3. We urge the Board to investigate with relevant authorities as to whether the site is involved in any ongoing enforcement cases/ unauthorised uses/ activities; if so, then consider whether it is appropriate to approve this application.

4. We urge the Board to reject this application as it is unlikely to be in line with the planning intention of the Agriculture zone. If the application is to be approved, we urge the Board to consider whether the site (e.g., filled area) should be reinstated upon the expiry of the planning permission: if yes, then consider whether this should be set as an approval condition.

5. Thank you for your attention.

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden



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A/YL-PN/90

Lots 59 RP (Part) and 60 RP (Part) in D.D. 135, Sheung Pak Nai and Ha Pak Nai, Yuen Long

Site are: About 1,775sq.m

Zoning: "Agriculture"

Applied use: Storage of Fertiliser and Food Processing Material / 3 Vehicle Parking / **Filling of Land**

Dear TPB Members,

Strong Objections.

There is no record of previous applications but the site is already paved. Members should question when the site was filled in. Has any enforcement action been taken?

The area is adjacent to "CA" zoning and south of the Shenzhen Bay Bridge with Cat 3 and 6 designated zones.

Sheung Pak Nai is a scenic, rural coastal area in Yuen Long, Hong Kong, renowned for its tranquil wetlands, mangrove forests, and stunning sunset views over Deep Bay. If the plan is to attract international talent to live in HK, then it is essential that areas like this be protected from rampant brownfield expansion in order to provide a diversion for the incoming residential population to the Northern Metropolis further inland.

Sufficient land has already been designated Cat 2 to accommodate relocated premises.

There is no justification to approve this application.

Mary Mulvihill

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Has any enforcement action been taken?

In view of the pledges made to phase out brownfield use, there is no justification to approve such operations on inappropriately zoned lots.

Mary Mulvihill