

**Similar S.16 Applications for Temporary Vehicle Repair Workshop in the Vicinity
of the Application Site partly within “Agriculture” Zone in the Past Five Years**

Approved Applications

	Application No.	Uses/Developments	Date of Consideration
1	A/NE-TKL/684	Renewal of Planning Approval for Temporary Vehicle Repair Workshop for Lorry, Coach and Container Vehicle with Ancillary Office & Electricity Transformer Station for a Period of 3 Years until 19.10.2024	24.9.2021
2	A/NE-TKL/769	Temporary Vehicle Repair Workshop for Lorry, Coach and Container Vehicle with Ancillary Office and Electricity Transformer Station for a Period of 3 Years	20.9.2024

Detailed Comments from Relevant Government Departments

1. Traffic

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

- no comment on the application from highways maintenance point of view;
- the existing local access road connecting the application site (the Site) to Ping Che Road is not under the maintenance of HyD; and
- his advisory comments are at **Appendix IV**.

2. Drainage

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

- no objection to the application from the public drainage viewpoint;
- should the application be approved, conditions should be included to request the applicant to submit and implement a drainage proposal for the Site to ensure that it will not cause adverse drainage impact on the adjacent area, and the implemented drainage facilities at the Site shall be maintained at all times during the planning approval period;
- the Site is in an area where no public sewerage connection is available. The Environmental Protection Department should be consulted regarding the sewage treatment/disposal facilities for the proposed use; and
- her advisory comments are at **Appendix IV**.

3. Environment

Comments of the Director of Environmental Protection (DEP):

- no objection to the application from the environmental planning perspective since no heavy vehicle nor dusty operation is involved;
- on regularisation of filling of land, in view that no further filling of land will be carried out under this application, he has no comment from the environmental planning perspective;
- no environmental complaint against the Site was received in the past three years; and
- his advisory comments are at **Appendix IV**.

4. **Fire Safety**

Comments of the Director of Fire Services (D of FS):

- no in-principle objection to the proposal subject to fire service installations and water supplies for firefighting being provided to his satisfaction; and
- his advisory comments are at **Appendix IV**.

5. **Landscape**

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

- no adverse comment on the application from landscape planning perspective;
- based on the aerial photo taken in 2025, the Site is located in an area of miscellaneous rural fringe landscape character comprising village houses, temporary structures, warehouses, vegetated areas and tree clusters. The proposed use is considered not entirely incompatible with the surrounding environment;
- with reference to the site photos taken on 3.3.2026, the Site is fenced-off, paved and some temporary structures are found within the Site. According to the Application Form, tree felling is not involved;
- in view of the above, significant adverse landscape impact arising from the application is not anticipated; and
- her advisory comments are at **Appendix IV**.

6. **Electricity Safety**

Comments of the Director of Electrical and Mechanical Services (DEMS):

- no comment on the application from electricity supply safety aspect; and
- his advisory comments are at **Appendix IV**.

7. **Building Matters**

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

- no objection to the application;
- there is no record of approval granted by the Building Authority (BA) for the existing structure at the Site;
- it is noted that three structures and land filling are proposed on the Site. Before any new building works are to be carried out on the Site, prior approval and consent of the BA should be obtained unless they are exempted building works or commenced under the

simplified requirement under the Minor Works Control System, otherwise they are unauthorised building works under the Buildings Ordinance (BO). An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO; and

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

8. Other Departments

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

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD);
- (c) Head of the Geotechnical Engineering Office, CEDD (H(GEO), CEDD); and
- (d) District Officer (North), Home Affairs Department (DO(N), HAD).

Recommended Advisory Clauses

- (a) failure to reinstate the “Agriculture” portion of the application site (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;
- (b) to note the comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD) that:

- (i) the Site comprises Old Schedule Agricultural Lots 1440 (Part) and 1446 RP (Part) in D.D. 77 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 proposed ingress/egress of the Site is required to pass through Government land (GL) but no right of access via GL is granted to the Site;

- (ii) the following irregularities covered by the planning application have been detected by his office:

unauthorised structures within the application lots covered by the planning application

there are unauthorised structures on the private lots. The lot owner should rectify/regularise the lease breaches and his office reserves the rights to take necessary lease enforcement action against the breaches without further notice;

unlawful occupation of GL adjoining the said private lots covered by the planning application

the GL within the Site (about 41.75m² as mentioned in the Application Form) has been fenced-off/ illegally occupied without any permission. Any occupation of GL without Government’s prior approval is an offence under Cap. 28. His office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice;

- (iii) the following irregularities not covered by the planning application have been detected by his office:

unauthorised structures within the said private lots not covered by the planning application

there are unauthorised structures within the said private lots not covered by the planning application. The lot owner should immediately rectify/regularise the lease breaches and his office reserves the rights to take necessary lease enforcement action against the breaches without further notice;

unlawful occupation of GL not covered by the planning application

the GL adjoining the said private lots has been illegally occupied with unauthorised structures extended from the said private lots without permission. The GL being illegally occupied is not included in the application. The applicant should clarify the extent of the Site. Any occupation of GL without Government’s prior approval is an offence under Cap. 28. His office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice;

- (iv) the lot owner/applicant shall either (i) remove the unauthorised structures and cease the illegal occupation of GL not covered by the planning application immediately; or (ii) include the unauthorised structures and the adjoining GL being illegally occupied in the planning application for the further consideration by the relevant departments and, subject to the approval of the Town Planning Board to the planning application which shall have reflected the rectification or amendment as aforesaid required, apply to his office for a Short Term Waiver (STW) (on whole lot basis) and a Short Term Tenancy (STT) to permit the structures erected and the occupation of the GL. The applications 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 STW and STT, if approved, will be subject to such terms and conditions including the payment of back-dated waiver fee/rent from the first date the structures were erected and the GL being occupied, and administrative fee as considered appropriate to be imposed by LandsD. Besides, given the proposed use is temporary in nature, only erection of temporary structures will be considered. In addition, LandsD reserves the right to take enforcement action against the lot owner/applicant for any breach of the lease conditions, including the breach(es) already in existence or to be detected at any point of time in future; and
- (v) the applicant should comply with all the land filling requirements imposed by relevant Government departments. GL should not be disturbed unless with prior approval;
- (c) to note the comments of the Commissioner for Transport (C for T) that the proposed vehicular access road between Ping Che Road and the Site is not managed by the Transport Department (TD). The land status of the local access road should be checked with the LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities. Sufficient manoeuvring space shall be provided within the Site. No vehicle is allowed to queue back to or reverse onto/ from public road at any time during the planning approval period;
- (d) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD) that:
 - (i) the access arrangement and traffic generation should be commented by TD;
 - (ii) HyD is not/shall not be responsible for the maintenance of any access connecting the Site and the nearby public roads; and
 - (iii) adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (e) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) the Site is in an area where no public sewerage connection is available. The Environmental Protection Department should be consulted regarding the sewage treatment/disposal facilities for the proposed use; and
 - (ii) the applicant should be advised the following general requirements in the drainage proposal:
 - surface channel with grating covers should be provided along the site boundary;
 - a drainage plan should be provided clearly showing the size, levels and routes of the proposed drainage. The details (invert level, gradient, general sections, etc.) of the proposed drain/ surface channel, catchpits and the discharge structure shall be

provided;

- the cover levels of proposed channels should be flush with the existing adjoining ground level;
- a catchpit with covers should be provided where there is a change of direction of the channel/drain. The details of the catchpit with covers shall be provided;
- catchpits with sand trap shall be provided at the outlets of the proposed drainage system. The details of the catchpit with sand trap should be provided;
- the applicant should check and ensure that the existing drainage downstream to which the proposed connection will be made have adequate capacity and satisfactory condition to cater for the additional discharge from the Site. He should also ensure that the flow from the Site will not overload the existing drainage system;
- the applicant is reminded that where walls are erected or kerbs are laid along the boundary of the same, peripheral channels should be provided on both sides of the walls or kerbs, and/or adequate openings should be provided at the walls/kerbs to allow existing overland flow passing through the Site to be intercepted by the drainage system of the Site with details to be agreed by DSD, unless justified not necessary;
- the applicant is reminded that all existing flow paths as well as the runoff falling onto and passing through the Site should be intercepted and disposed of via proper discharge points. The applicant shall also ensure that no works, including any site formation works shall be carried out as may adversely interfere with the free flow condition of the existing drains, channels and watercourses on or in the vicinity of the Site any time during or after the works;
- the proposed drainage works, whether within or outside the site boundary, should be constructed and maintained properly by the applicant and rectify the system if it is found to be inadequate or ineffective during operation at his own expense;
- for works to be undertaken outside the lot boundary, the applicant should obtain prior consent and agreement from DLO/N and/or relevant private lot owners;
- the applicant should make good all the adjacent affected areas upon the completion of the drainage works;
- the applicant shall allow all time free access for the Government and its agent to conduct site inspection on his completed drainage works;
- the applicant and the successive lot owners shall allow connections from the adjacent lots to the completed drainage works on GL when so required; and
- photos should be submitted clearly showing the current conditions of the area around the Site, the existing drainage/flowpaths around the Site, the proposed drainage from the Site to the downstream existing watercourse and the existing watercourse at about 20m intervals. The locations of the camera and the direction of each photo should also be indicated on a plan;

- (f) to note the comments of the Director of Environmental Protection (DEP) that the applicant should follow the requirements of the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' and Professional Persons Environmental Consultative Committee Practice Notes 1/23 'Drainage Plans subject to Comment by the Environmental Protection Department' for the proposed septic tank and soakaway pit system with certification by Authorised Person (AP);

- (g) to note the comments of the Director of Fire Services (D of FS) that:
- (i) in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. The applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval;
 - (ii) the applicant should be advised that the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy and the location of the proposed FSIs to be installed should be clearly marked on the layout plans; and
 - (iii) 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;
- (h) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that approval of the application does not imply approval of tree works such as pruning, transplanting and felling. The applicant is reminded to seek approval for any proposed tree works from relevant departments prior to commencement of the works;
- (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 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 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;
- (j) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) it is noted that three structures and land filling are proposed on the Site. Before any new building works are to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained unless they are exempted building works or commenced under the simplified requirement under the Minor Works Control System, otherwise they are unauthorised building works (UBW) under the BO. An AP should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - (ii) the applicant’s attention is drawn to the following points:
 - the Site shall be provided with emergency vehicular access in accordance with Regulation 41D of the Buildings (Planning) Regulation (B(P)R);
 - 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;
 - if any existing structure is 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 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;

- the 7m high car shelter is considered excessive. It should be justified upon formal plan submission to BD; and
 - detailed checking under the BO will be carried out at the building plan submission stage; and
- (k) to note the comments of the Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD) that the proposed use is located within the proposed New Territories North (NTN) New Town under the Planning and Engineering (P&E) Study for NTN New Town and Man Kam To. The preliminary development proposal for NTN New Town was released in December 2024. While the implementation programme of NTN New Town is being formulated under the P&E Study, the site formation works will likely commence soon after the completion of detailed design in next stage. Hence, subject to the land use planning in the P&E Study, the proposed use may need to be vacated for the site formation works.

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To : Secretary, Town Planning Board

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax : 2877 0245 or 2522 8426

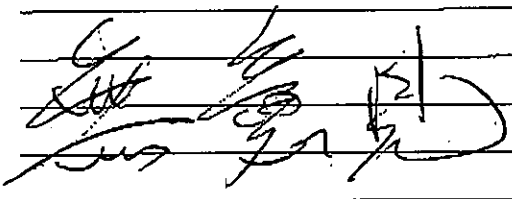
By e-mail : tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates

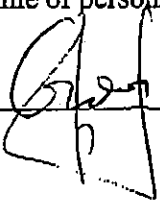
A/NE-TKL/834

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)



「提意見人」姓名/名稱 Name of person/company making this comment 伍志強議員

簽署 Signature  日期 Date 2026.3.5

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號
Reference Number: 260312-110210-88933

提交限期
Deadline for submission: 24/03/2026

提交日期及時間
Date and time of submission: 12/03/2026 11:02:10

有關的規劃申請編號
The application no. to which the comment relates: A/NE-TKL/834

「提意見人」姓名/名稱
Name of person making this comment: 小姐 Miss Law hiu yam

意見詳情
Details of the Comment :

反對，路面擠塞，而且路面狹窄，只有單線，間中有大型貨櫃車及車輛會泊在路邊，而且由於大型車輛，經常需要多次才能駛進，由於單線行車，需要等待，造成交通嚴重擠塞。

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年03月24日星期二 3:32
收件者: tpbpd/PLAND
主旨: A/NE-TKL/834 DD 77 Ping Che
類別: Internet Email

A/NE-TKL/834

Lots 1440 (Part) and 1446 RP (Part) in D.D. 77 and Adjoining Government Land, Ping Che, Ta Kwu Ling

Site area: About 587sq.m Includes Government Land of about 45.75sq m

Zoning: "Agriculture" and 'Area shown as Road"

Applied use: Vehicle Repair Workshop, Open Storage / 5 Vehicle Parking / **Filling of Land**

Dear TPB Members,

Strong Objections.

"The applicant promises to restore the site to its original condition after the planning approval period expires."

There is absolutely no way that land used for vehicle repair can ever support agricultural activity. It would also be undesirable if the intention is to eventually rezone the district to residential.

Operations like this should be confined to areas zoned for Open Storage and Port Backup.

That the operator cannot find a small site on the appropriate zoning is not realistic.

The application should be rejected.

Mary Mulvihill