

**Similar s.16 Applications within the same “Coastal Protection Area” Zone
on the Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan in the past 5 years**

Rejected Application

	<u>Application No.</u>	<u>Proposed Use</u>	<u>Zoning</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Rejection Reasons</u>
1	A/YL-LFS/460	Proposed Temporary Warehouse for Storage of Steelwork for a Period of 3 Years and Filling of Land	CPA	21.4.2023	(1) to (3)
2	A/YL-LFS/461	Proposed Temporary Warehouse for Storage of Timber for a Period of 3 Years and Filling of Land	CPA	21.4.2023	(1) to (3)

Rejection Reasons

1. No strong justification in the submission for a departure from the planning intention.
2. Insufficient information to demonstrate no adverse landscape, environmental and traffic impacts on the surrounding areas.
3. Setting undesirable precedent.

Government Departments' General Comments

1. Land Administration

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

(a) He has no adverse comment on the application.

(b) The applicant should note his advisory comments at **Appendix IV**.

(ii) Comments of Chief Estate Surveyor/New Development Area (CES/NDA), LandsD:

The applicant is the affected business undertaking under the Second Phase Development of the Yuen Long South New Development Area. The applied use of temporary warehouse for storage of electrical wire tallies with his on-site observations at the location of the existing business undertaking of the applicant.

2. Traffic

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

(a) She has no adverse comment on the application from traffic engineering perspective.

(b) The applicant should note her 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) He has no objection to the planning application from environmental planning perspective.

(b) Although there are residential dwellings located within 100m from the boundary of the application site (the Site), it is noted that the applied use would not generate traffic of heavy vehicles nor involve dusty operation.

(c) There was no substantiated environmental complaint pertaining to the Site in the past three years.

(d) The applicant should note his advisory comments at **Appendix IV**.

4. 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 the public drainage point of view.
- (b) For any change of existing ground level and associated works proposed by the applicant that could affect adjacent land and cause other impacts and/or other issues to public, the applicant should be required to submit technical assessment(s) in other aspect(s) and seek comment from relevant departments as necessary.
- (c) Should the Town Planning Board consider that the application is acceptable from the planning point of view, approval conditions should be stipulated requiring the applicant to submit a revised drainage proposal, to implement and maintain the proposed drainage facilities to his satisfaction.
- (d) The applicant should note his detailed comments on the submitted drainage proposal at **Appendix IV**.

5. 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 detailed comments at **Appendix IV**.

6. Project Interface

Comments of the Project Manager (West), Civil Engineering and Development Department (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 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.
- (b) If the planning permission is granted, notwithstanding its validity period, the applicant should note his advisory comments detailed in **Appendix IV**.

7. Nature Conservation

Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) He has no objection to the application from nature conservation perspective.
- (b) While the Site has been paved and disturbed, it falls within Coastal Protection Area zone and is adjacent to a semi-natural watercourse which links to the coast.

- (c) It is unlikely that the applied use would cause any significant additional ecological impacts to the surrounding areas as compared with the existing condition.
- (d) If the application is approved, the applicant should note his advisory comments detailed in **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 locals' comment on the application.

9. Other Government Departments' Comments

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

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD);
- (c) Chief Engineer/Land Works, CEDD (CE/LW, CEDD); and
- (d) Head of Geotechnical Engineering Office, CEDD (H(GEO), CEDD).

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) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
 - (i) the Site comprises Government Land (GL) and Old Schedule Agricultural 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. No permission is given for the occupation of GL (about 22m² subject to verification) included in the Site. Any occupation of GL without Government's prior approval is an offence under the Land (Miscellaneous Provisions) Ordinance (Cap. 28); and
 - (ii) the lot owner(s) shall apply to his office for Short Term Waiver(s) (STW(s)) and Short Term Tenancy(s) (STT(s)) to permit the structure(s) erected or to be erected within the private lots and the occupation of the GL. The application(s) for STW(s) and STT(s) will be considered by the Government in its capacity as a landlord and there is no guarantee that it/they will be approved. The STW(s) and STT(s), if approved, will be subject to such terms and conditions including the payment of waiver fee, rent and administrative fee as considered appropriate by LandsD. Besides, given the applied use is temporary in nature, only erection of temporary structure(s) will be considered;
- (c) to note the comments of the Director of Environmental Protection (DEP) that the applicant is advised:
 - (i) to follow the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites";
 - (ii) to follow the relevant guidelines and requirements in relevant Professional Persons Environmental Consultative Committee Practice Notes (ProPECCPNs). If septic tank and soakaway system will be used in case of unavailability of public sewer, its design and construction shall follow the requirements of ProPECC PN 1/23 "Drainage Plans subject to Comment by the Environmental Protection Department" including completion of percolation test and certification by Authorized Person;
 - (iii) to provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the applied use; and
 - (iv) to meet the statutory requirements under relevant environmental legislation;
- (d) to note the comments of the Commissioner for Transport (C for T) that:
 - (i) sufficient manoeuvring spaces 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; and
 - (ii) the local track leading to the Site is not under the Transport Department's purview. The applicant shall obtain consent of the owners/managing departments of the local track for using it as the vehicular access to the Site;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that adequate drainage measures shall be provided to prevent

surface water running from the Site to the nearby public roads and drains. The access road from Deep Bay Road to the Site is not maintained by HyD and HyD will not take up the maintenance responsibility of the road;

- (f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) on the submitted drainage proposal that:
- (i) please make reference to the latest Technical Note No. 1 - Technical Note to prepare a Drainage Submission issued by DSD for more details in preparing the drainage proposal;
 - (ii) please advise if any site formation/land filling works to be carried out under this application. Please note that the overland flow from the adjacent lands should not be affected;
 - (iii) please demonstrate with hydraulic calculations and catchment plan that all proposed/existing drainage facilities are adequate to collect, convey and discharge the surface runoff accrued on the Site and to intercept the overland flow from the adjacent lands;
 - (iv) the applicant should check and ensure the hydraulic capacity of the existing drainage facilities would not be adversely affected by the development. Please submit calculation demonstrating the downstream drainage system receiving the discharge from the development has adequate spare capacity to accommodate the runoff;
 - (v) please advise why u-channel is not provided at the northern side of the site. Please advise how the overland flow from the above area of the Site could be properly intercepted and discharged. Peripheral surface channels shall be provided along the site boundary to collect the surface runoff accrued on the Site and to intercept the overland flow from the adjacent lands;
 - (vi) please indicate clearly the full alignment of the discharge path from the Site all the way down to the ultimate discharge point (e.g. a well-established stream course/public drainage system);
 - (vii) the existing drainage facilities, to which the stormwater of the development from the Site would discharge, are not maintained by his office. The applicant should identify the owner of the existing drainage facilities to which the proposed connection will be made. Also, DSD noticed that the proposed drainage connection(s) to the surrounding/downstream area(s) will run through other private lot(s). The applicant shall demonstrate that the proposed drainage construction/improvement/modification works and the operation of the drainage can be practicably implemented;
 - (viii) please provide site photos to show latest condition and existence of the drainage facilities which receive the discharge from the Site. Please justify its dimension;
 - (ix) please provide hydraulic calculations for the proposed discharging drainage facility demonstrating its capacity to cater for the surface runoff from the entire Site;
 - (x) please clarify whether any walls or hoarding would be erected along the site boundary. Where walls or hoarding are erected/laid along the site boundary, adequate opening should be provided to intercept the existing overland flow passing through the Site;
 - (xi) cross sections showing the existing and proposed ground levels of the Site with respect to the adjacent areas should be given;

- (xii) standard details should be provided to indicate the sectional details of the proposed u-channel and the catchpit;
 - (xiii) sand trap or provision alike should be provided before the collected runoff is discharged to the public drainage facilities;
 - (xiv) the development should neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc.; and
 - (xv) the applicant shall resolve any conflict/disagreement with relevant lot owner(s) and seek LandsD's permission for laying new drains/channels and/or modifying/upgrading existing ones in other private lots or on GL (where required) outside the Site;
- (g) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. The applicant shall submit relevant layout plans incorporated with the proposed FSIs to the Fire Services Department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of the proposed FSIs to be installed should be clearly marked on the layout plans. If the proposed structures are required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire safety requirements will be formulated upon receipt of the formal submission of general building plans;
- (h) 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 are proposed in the application. Before any new building works (including containers/open sheds as temporary buildings, demolition, land filling, etc.) are to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained, otherwise they are unauthorized building works (UBW) under the 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 building plan submission stage;
 - (iv) 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 applied/proposed use under the application;
 - (v) 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;
 - (vi) any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings and subject to the control of Part VII of the B(P)R; and
 - (vii) detailed checking under the BO will be carried out at building plan submission stage;

- (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 Head of Geotechnical Engineering Office, CEDD (H(GEO), CEDD) that there is an existing man-made slope (feature no. 2SW-C/C87) located within the Site. The applicant should be reminded of the requirements for making necessary site formation submission(s), including but not limited to any necessary stability assessments on the existing slope feature and/or modification/upgrading works on the existing slope which may affect or be affected by the proposed development, to the BD for approval as required by the provision of BO if found applicable; and
- (k) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that the applicant should be advised to adopt appropriate measures to minimise disturbances and pollution to the watercourse and the coastal water body.

Urgent Return receipt Expand Group Restricted Prevent Copy Confidential

tpbpd/PLAND

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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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,

Temporary Warehouse for Storage of Electrical Wire for a Period of 3 Years
(A/YL-LFS/605)

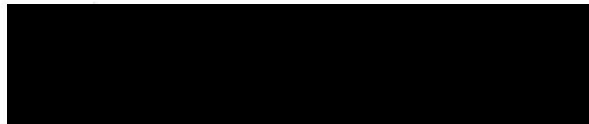
1. We refer to the captioned.
2. The application site is entirely within Coastal Protection Area (CPA) zone. The planning intention of this zone is as follows:

This zoning is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion.

There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.¹

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

¹<https://www.ozp.tpb.gov.hk/api/Plan/PlanNote?planNo=S%2fYL-LFS%2f11&lang=EN&ext=pdf&dType=in#nameddest=CPA>



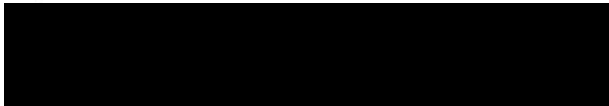


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whether it is appropriate to approve this application.

4. We urge the Board to reject this application as it is unlikely to be in line with the planning intention of the CPA zone.
5. Thank you for your attention.

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden



tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年04月14日星期二 3:28
收件者: tpbpd/PLAND
主旨: A/YL-LFS/605 DD 129 Lau Fau Shan CPA
類別: Internet Email

A/YL-LFS/605

Lots 1901 and 1906 in D.D. 129 and Adjoining Government Land, Lau Fau Shan

Site area: About 684sq.m (Includes Government Land of about 22sq.m)

Zoning: "Coastal Protection Area"

Applied use: Warehouse for Storage of Electrical Wire / 3 Vehicle Parking

Dear TPB Members,

Strong Objections. No history of previous approvals but the operation has been established for some time.

While the operator trots out the relocation mantra, this is a small operation so there is absolutely no reason that it does no avail of the many lots designated Cat 2.

The location is not only "CPA", it is also adjacent to a watercourse.

On 13 March TPB rejected 597 with a similar history of unapproved land use:

Part of the Site is currently subject to active planning enforcement action (Case No. E/YLLFS/668) against unauthorized development (UD) involving storage.

The Site is paved, mostly vacant and partly occupied with converted containers used for storage purpose in the northern portion

There is no justification for deviation from this conclusion re this application.

Mary Mulvihill