

**Similar s.16 Applications within the same “Village Type Development” Zone
on the Nam Sang Wai Outline Zoning Plan in the Past Five Years**

Approved Applications

Application No.	Use/Development	Date of Consideration (RNTPC)
A/YL-NSW/289	Proposed Temporary Shop and Services (Real Estate Agency) for a Period of 5 Years	27.8.2021
A/YL-NSW/323	Proposed Temporary Shop and Services and Vehicle Repair Workshop for a Period of 3 Years	16.8.2024 [Revoked on 16.5.2025]
A/YL-NSW/351	Temporary Shop and Services with Ancillary Facilities and Associated Filling of Land for a Period of 5 Years	5.9.2025
A/YL-NSW/355	Proposed Temporary Shop and Services and Vehicle Repair Workshop for a Period of 3 Years	24.10.2025

Government Departments' General Comments

1. Land Administration

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

- no adverse comment on the application;
- the application site (the Site) comprises Old Schedule Agricultural Lot 3577 RP in D.D. 104 held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without prior approval of the Government;
- no Small House application approved or under processing at the Site; and
- advisory comments are in **Appendix IV**.

2. Traffic

Comments of the Commissioner for Transport:

- noting that the applicant would implement necessary traffic management measures to ensure that no vehicle would queue back to public road, he has no comment on the application from traffic engineering point of view; and
- advisory comments are in **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 in **Appendix IV**.

3. Environment

Comments of the Director of Environmental Protection:

- according to the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites', he has no objection to the application from environmental planning perspective;
- based on the information provided, the proposed use would not cause traffic of heavy vehicles and dusty operation;
- according to his review, there are residential buildings within 100m from the boundary of the Site;
- there was no environmental complaint concerning the Site received in the past three years; and
- advisory comments are in **Appendix IV**.

4. **Drainage**

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

- no objection in principle to the application from the drainage point of view;
- should the application be approved, approval conditions should be stipulated in the approval letter requiring the applicant to submit and implement drainage proposal, and to maintain the implemented drainage facilities to the satisfaction of the Director of Drainage Services or of the Town Planning Board; and
- advisory clauses are in **Appendix IV**.

5. **Fire Safety**

Comments of the Director of Fire Services:

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

6. **Building Matters**

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

- no objection to the application;
- it is noted that one structure and associated filling of land are proposed in the application; and
- advisory comments are in **Appendix IV**.

7. **Landscape**

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

- no adverse comment on the application from landscape planning perspective;
- based on the aerial photo, the Site is situated in an area of miscellaneous rural fringe landscape character comprising village houses, temporary structures, ponds, scattered tree groups and highways. The proposed use is not entirely incompatible with the surrounding environment;
- with reference to the site photos (**Plan A-4**) and her site inspection on 25.3.2026, the Site is generally covered with self-seeded vegetation. According to the Application Form (**Appendix I**), no tree felling is involved. Significant adverse landscape impact arising from the application is not anticipated

- notwithstanding the above, it is noted that it is noted from site photos taken on 25.4.2024 that trees and vegetation were found within the Site. However, as observed from the site photos of 20.3.2026 (**Plan A-4**), trees and vegetation clearance have taken place; and
- advisory comments are in **Appendix IV**.

8. Electricity and Towngas Safety

Comments of the Director of Electrical and Mechanical Services:

- no objection in principle to the application subject to his advisory comments at **Appendix IV** pertaining to electricity supply safety and reliability, being strictly complied by the applicant and his contractor(s);
- the Site will be within the preferred working corridor of the 400kV extra high voltage overhead lines as stipulated in the Hong Kong Planning Standards and Guidelines;
- there is a high pressure underground towngas pipe running across San Tam Road near the Site; and
- advisory comments are in **Appendix IV**.

9. 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 comment from the locals upon close of consultation.

10. Other Departments

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

- Director of Agricultural, Fisheries and Conservation;
- Project Manager/Major Works, HyD;
- Chief Engineer/Railway Development 2-3, Railway Development Office, HyD;
- Project Manager (West), Civil Engineering and Development Department (CEDD);
- Head of Geotechnical Engineering, CEDD;
- Chief Engineer/Construction, Water Supplies Department;
- Director of Food and Environmental Hygiene; and
- Commissioner of Police.

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Yuen Long, Lands Department (LandsD) that the lot owner(s) shall apply to his office for a Short Term Waiver (STW) to permit the structure(s) erected within the said private lot. The application for STW 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;
- (b) to note the comments of the Commissioner for Transport that no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) to note the comment of the Chief Highway Engineer/New Territories West, Highways Department (HyD) that:
- the proposed access arrangement of the Site should be commented and approved by the Transport Department;
 - HyD shall not be responsible for the maintenance of the proposed access connecting the Site and Kam Pok Road East, including the local track, if any; and
 - adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (d) to note the comment of the Chief Engineer/Mainland North, Drainage Services Department (DSD) that:
- 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 consider to submit technical assessment(s) in other aspect(s) and seek comment from relevant departments as necessary;
 - the applicant is required to demonstrate in the drainage proposal that the proposed works will not obstruct the overland flow nor cause any adverse drainage impact to the adjacent areas. The applicant shall be liable for any adverse drainage impact due to the proposed works; and
 - to encourage a higher quality submission and avoid rounds of comments, thereby shortening the processing time, the applicant is advised to complete the checklist as part of preparing the drainage proposal and include it in the submission;
- (e) to note the comments of the Director of Environmental Protection that:
- the applicant shall follow the revised 'Code of Practice on Handling the Environmental Aspects of Temporary uses and Open Storage Sites' issued by the Environmental Protection Department (EPD);

- the applicant shall follow the relevant guidelines and requirements in relevant Professional Persons Environmental Consultative Committee Practice Notes (ProPECC PNs), in particular the ProPECC PN 1/23 'Drainage Plans subject to Comment by EPD';
 - the applicant shall provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the proposed use; and
 - the applicant shall observe the statutory requirements under relevant environmental legislation;
- (f) to note the comments of the Director of Fire Services that the applicant shall submit relevant layout plans incorporated with the proposed fire service installations (FSIs) to the Fire Services Department (FSD) for approval. The layout plans should be drawn to scale and depicted with dimensions and the 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 Building Ordinance (BO) (Cap. 123), detailed fire safety requirements will be formulated upon receipt of the formal submission of general building plans;
- (g) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that:
- 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 (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;
 - the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulation 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively;
 - if 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;
 - 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;
 - 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.
- (h) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that:
- the applicant shall observe the requirements of minimum safety clearance, minimum vertical clearance and preferred working corridor of the concerned overhead lines as

stipulated in Clause 2.3.5, 2.3.6 and 2.3.14 under Chapter 7 – Utility Services of the Hong Kong Planning Standards and Guidelines published by the Planning Department (PlanD) and ensure they shall be maintained at any time during and after construction;

- no scaffolding, crane and hoist shall be built or operated within 6m from the outermost 400kV conductors at all times. Warning notices should be posted at conspicuous locations to remind operators and workers of the site boundary. CLP Power Hong Kong Limited (CLP Power) shall be consulted on the safety precautions required for carrying out any works near the concerned overhead lines;
 - in any time during and after construction, CLP Power shall be allowed to get access to the working corridor area of the concerned overhead lines for carrying out any operation, maintenance and repair work including tree trimming;
 - the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation shall be observed by the applicant and his contractors when carrying out works in the vicinity of the electricity supply lines;
 - as regards the electric and magnetic fields arising from the transmission overhead lines, the applicant should be warned of possible undue interference to some electronic equipment in the vicinity, if any;
 - if excavation works are to be conducted for this application, as a general reminder, the applicant shall liaise with The Hong Kong and China Gas Company Limited in respect of the exact locations of existing or planned gas pipes/gas installations in the vicinity of the works site and any required minimum set back distance away from them; and
 - the applicant shall observe the Electrical and Mechanical Services Department’s requirements on ‘Avoidance of Damage to Gas Pipes 2nd Edition’ ([https://www.emsd.gov.hk/filemanager/en/content_286/CoP_gas_pipes_2nd_\(Eng\).pdf](https://www.emsd.gov.hk/filemanager/en/content_286/CoP_gas_pipes_2nd_(Eng).pdf)) for reference;
- (i) to note the comments from the Director of Food and Environmental Hygiene (DFEH) that:
- no Food and Environmental Hygiene Department’s (FEHD’s) facilities should be affected;
 - proper licence/permit issued by FEHD is required if there is any food business/catering service/activities regulated by DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public;
 - in accordance with the Public Health and Municipal Services Ordinance (Cap. 132) and the Food Business Regulation (Cap. 132X), a food business licence shall be obtained for any premises intended to operate the relevant type of food business (e.g. restaurant, food factory, fresh provision shop, etc.) listed in the Regulation. The application for licence, if acceptable by FEHD, will be referred to relevant government departments such as BD, FSD and PlanD for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance and the licence will be issued upon compliance of all the requirements;

- depending on the mode of operation, generally there are several types of food business licence/permits that the operator may apply for under the Food Business Regulation:
 - (i) if food is sold to customers for consumption on the premises, a restaurant licence should be obtained;
 - (ii) if food is only prepared for sale for consumption off the premises, a food factory licence should be obtained;
 - (iii) if fresh, chilled or frozen beef, mutton, pork, reptiles (including live snake), fish (including live fish) and poultry is sold, a fresh provision shop licence should be obtained; and
 - (iv) if restricted foods like milk, frozen confections, non-bottled drinks, cut fruit etc. are to be sold, relevant restricted food permits should be obtained;
 - when choosing a premises for food business licences, the applicant must ensure that the operation of food business at the subject premises is in compliance with the requirements imposed under the legislation administered by FEHD, other government departments and the relevant authorities. No part of a food premises shall be located in, under or over any structures built without the approval and consent of the BA. Applicant should satisfy FEHD that their premises applying for a food business licence be (i) free of unauthorised building works; (ii) in compliance with Government lease conditions; and (iii) in compliance with statutory plan restrictions, otherwise FEHD will not process the application for a licence further;
 - proper licence issued by FEHD is required if related place of entertainment is involved. Any person who desires to keep or use any place of public entertainment for example a theatre and cinema or a place, building, erection or structure, whether temporary or permanent, on one occasion or more, capable of accommodating the public presenting or carrying on public entertainment within Places of Public Entertainment (PPE) Ordinance (Cap. 172) and its subsidiary legislation, such as a concert, opera, ballet, stage performance or other musical, dramatic or theatrical entertainment, cinematograph or laser projection display, a circus, a lecture or story-telling, an exhibition of any 1 or more of the following, namely, pictures, photographs, books, manuscripts or other documents or other things, a sporting exhibition or contest, a bazaar, a dance party or an amusement ride and mechanical device which is designed for amusement, a Place of Public Entertainment Licence (or Temporary Place of Public Entertainment Licence) should be obtained from FEHD whatever the general public is admitted with or without payment; and
 - there should be no encroachment on the public place and no environmental nuisance should be generated to the surroundings. Its state should not be a nuisance or injurious or dangerous to health and surrounding environment. Also, for any waste generated from such activities/operation, the applicant should arrange disposal properly at their own expenses; and
- (j) to note the comments of the Chief Town Planner/Urban Design and Landscape, PlanD that approval of the application does not imply approval of tree works such as crown and root 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.

Urgent Return receipt Expand Group Restricted Prevent Copy Confidential

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年04月10日星期五 2:37
收件者: tpbpd/PLAND
主旨: A/YL-NSW/365 DD 104 Nam Sang Wai
類別: Internet Email

A/YL-NSW/365

Lot 3577 RP in D.D. 104, Nam Sang Wai, Yuen Long

Site area: About 222sq.m

Zoning: "Village Type Development"

Applied use: Shop and Services / 1 Vehicle Parking // **Filling of Land / 5 Years**

Dear TPB Members,

The application is for an existing car repair business although there is no record of approval.

It appears to straddle the access to other buildings further back?

Mary Mulvihill