

Government Departments with No Objection / No Adverse Comment

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

- (a) District Lands Officer/Yuen Long, Lands Department;
- (b) Commissioner for Transport;
- (c) Chief Building Surveyor/New Territories West, Buildings Department;
- (d) Chief Engineer/Construction, Water Supplies Department;
- (e) Chief Engineer/Mainland North, Drainage Services Department;
- (f) Chief Highway Engineer/New Territories West, Highways Department;
- (g) Director of Fire Services;
- (h) Director of Environmental Protection;
- (i) District Officer (Yuen Long), Home Affairs Department;
- (j) Commissioner of Police; and
- (k) Project Manager (West), Civil Engineering and Development Department.

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年04月03日星期五 4:04
收件者: tpbpd/PLAND
主旨: A/HSK/605 DD 129 Fung Kong Tsuen
類別: Internet Email

Dear TPB Members,

Despite the record of non compliance with conditions, 308 was approved on 25 June 2021 and it has shockingly been allowed to operate until 2025 without again having complied with conditions.

Members must request ssurance from PlanD that the conditions have genuinely been implemented and to advise that NO FURTHER EXTENSIONS OF TIME WILL BE CONDISERED.

This is the very least the community expects in view of appalling disregard for regulations being exposed at the Wan Fuk hearings.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Monday, 24 May 2021 3:31 AM HKT
Subject: A/HSK/308 DD 129 Fung Kong Tsuen

A/HSK/308

Lots in D.D.128 and 129, Fung Kong Tsuen, Ha Tsuen, Yuen Long (Lots 73 S.A, 73 S.B, 73 S.C, 73 S.D, 73 S.E, 73 S.F, 73 S.G, 73 S.H, 73 S.I, 73 S.J, 74 S.A, 74 S.B, 74 S.C, 74 S.D, 75 S.B and 75 S.C in D.D. 128; Lots 3217 S.A, 3217 S.B, 3217 S.C, 3217 S.D, 3217 S.E, 3217 S.F, 3217 S.G, 3217 S.H, 3217 S.I, 3217 S.J, 3217 S.K, 3217 S.L, 3217 S.M, 3217 S.N, 3217 S.O and 3217 RP)
Site area : About 3,037m²
Zoning : "VTD"
Applied Use : Parking 40 Cars / 12 Light Goods / **5 Years**

Dear TPB Members,

Although approval was revoked in 2018, it is business as usual but on a larger and more compact site closer to homes.

Members should ask for images of current operation as Google Maps indicates it is actually a depot for container trucks. This is not an acceptable land use so close to residences.

Mary Mulvihill

From: [REDACTED]
To: "tpbpd" <tpbpd@pland.gov.hk>
Sent: Sunday, August 20, 2017 2:59:46 AM
Subject: A/HSK/12 DD 129 Fung Kong Tsuen

A/HSK/12

Lots 3217 S.B, 3217 RP and 3218 (Part) in D.D.129, Fung Kong Tsuen, Ha Tsuen, Yuen Long
Site area : About 2,568m²

Zoning : "VTD"

Applied Use : Parking 28 Cars / 25 Light Goods

Dear TPB Members,

On 7 June 2013 there were a number of objections to a similar application A/YL-HT/852.

The application was rejected on the following grounds:

- (a) the development was not in line with the planning intention of the "Village Type Development" zone on the Outline Zoning Plan, which was to designate both existing recognized villages and areas of land considered suitable for village expansion. Land within the zone was primarily intended for development of Small Houses by indigenous villagers. It was also intended to concentrate village type development within the zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. The development involving the parking of medium goods vehicles was incompatible with the surrounding areas which were predominantly rural and residential in character. No strong planning justification had been given in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the applicant failed to demonstrate in the submission that the development would not generate adverse environmental, drainage and landscape impacts on the surrounding areas; and
- (c) the approval of the application would set an undesirable precedent for similar applications within the "Village Type Development" zone of Fung Kong Tsuen. The cumulative effect of approving such applications would result in a general degradation of the environment of the area.

This time the applicant is proposing a 24 hour operation which is totally unacceptable in a village setting and would pose additional safety issues on local roads without proper street lighting.

TPB should again reject this application and ask departments if there is an ongoing illegal operation.

Mary Mulvihill

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;

- the Site comprises Old Schedule Agricultural Lot(s) 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 following private lots within the Site are covered by Short Term Waivers (STWs) as below:

<u>STW No.</u>	<u>Lot No.</u> <u>(in D.D. 128)</u>	<u>Purposes</u>
5406	73 S.A, 74 S.A, 75 S.B and 75 S.C	Temporary Public Vehicle Park (Excluding Container Vehicle)
5407	73 S.B	

- the STW holder(s) should apply to his office for modification of the STW conditions where appropriate. The lot owner(s) should apply to his office for STW(s) to permit the structures erected within the subject private lot(s). The application(s) 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/rent and administrative fee as considered appropriate by LandsD. Besides, given the applied use is temporary in nature, only erection of temporary structures will be considered;
- (c) to note the comments of the Commissioner for Transport (C for T) that:
- 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
 - the local track leading to the Site is not under 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;
- (d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
- the access road from Fung Kong Tsuen Road to the Site is not maintained by HyD and HyD will not take up the maintenance responsible of the access; and
 - adequate drainage measures shall 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:
- the required condition record should include coloured photos showing the current condition of the drainage facilities and a layout plan indicating the locations of the photos taken. The submitted photos should cover all internal surface channels, catch pits, sand traps, manholes, terminal catch pits/manholes and the downstream discharge path as indicated on the submitted drainage proposal; and
 - the 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 system if they are found to be inadequate or ineffective to accommodate the additional runoff arisen from the application. The applicant/owner shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by the failure or ineffectiveness of the drainage systems caused by his application;
- (f) to note the comments of the Director of Fire Services (D of FS) that the existing fire service installations implemented on the Site should be maintained in efficient working order at all times;
- (g) to note the comments of the Director of Environmental Protection (DEP) that the applicant is advised:
- to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites”; and
 - to meet the statutory requirements under relevant environmental legislation;
- (h) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C. WSD):
- existing water mains will be affected. The cost of any necessary diversion shall be borne by the applied uses;
 - in case it is not feasible to divert the affected water mains, a waterworks reserve within 1.5 meters from the centre line of the water main shall be provided to WSD. No structure shall be built or materials stored within this waterworks reserve. Free access shall be made available at all times for staff of the Director of Water Supplies or their contractor to carry out construction, inspection, operation, maintenance and repair works;
 - no trees or shrubs with penetrating roots may be planted within the Waterworks Reserve or in the vicinity of the water main shown on the plan; and
 - Government shall not be liable to any damage whatsoever and howsoever caused arising from burst or leakage of the public water mains within and in close vicinity of the Site;
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the Building Authority (BA), they are unauthorized building works (UBW) under the Building Ordinance (BO) and should not be designated for any applied use under the captioned 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;
 - 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 UBW. 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 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 4.5 m wide and its permitted development intensity shall be determined under the Regulation 19(3) of the B(P)R at building plan submission stage;
 - 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; and
- (j) to note the comments of the Commissioner of Police (C of P) that in view of public safety, the applicant must maintain the smooth traffic flow of the concerned location and provide sufficient safety precautions to avoid obstruction or danger caused to any person or vehicle on the road.