

Previous s.16 Application covering the Application Site

Approved Application

	<u>Application No.</u>	<u>Proposed Use(s)/ Development(s)</u>	<u>Zoning(s)</u>	<u>Date of Consideration (RNTPC)</u>
1	A/YL-LFS/398	Proposed Temporary Vehicle Repair Workshop for a Period of 3 Years	C/R, REC	11.6.2021 (Revoked on 11.3.2023)

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

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s)/ Development(s)</u>	<u>Zoning(s)</u>	<u>Date of Consideration (RNTPC)</u>
1	A/YL-LFS/406	Proposed Temporary Shop and Services (Shop for Selling Hardware Accessories) for a Period of 3 Years	REC	24.9.2021 (Revoked on 24.3.2022)
2	A/YL-LFS/420	Proposed Temporary Shop and Services (Shop for Selling Hardware Accessories) for a Period of 3 Years	REC	6.5.2022 (Revoked on 6.11.2023)
3	A/YL-LFS/495	Proposed Temporary Shop and Services (Selling of Gardening Supplies and Construction Materials) for a Period of 5 Years	REC	8.12.2023 (Revoked on 8.12.2024)
4	A/YL-LFS/527	Proposed Temporary Shop and Services (Sales of Construction Materials) with Ancillary Open Storage of Construction Materials (Metal Scaffolds) for a Period of 3 Years	REC	20.9.2024 (Revoked on 13.12.2024)
5	A/YL-LFS/551	Temporary Shop and Services (Sales of Construction Materials) with Ancillary Open Storage of Construction Materials (Metal Scaffolds) and Site Office for a Period of 3 Years	REC	11.4.2025

Government Departments' General Comments

1. Traffic

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

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

(ii) The applicant should note her advisory comments at **Appendix IV**.

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

(i) He has no objection to the application from highway maintenance perspective.

(ii) The access road from Lau Fau Shan Road to the application site (the Site) is not currently maintained by HyD.

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

2. 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 Site, it is noted that the proposed use would not generate traffic of heavy vehicles nor involve dusty operation.

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

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

3. 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) 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, to implement and maintain the proposed drainage facilities to his satisfaction.

4. 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**.

5. 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**.

6. 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.

7. Other Departments’ Comments

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

- (a) Director of Leisure and Cultural Services (DLCS);
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (c) Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD);
- (d) Chief Engineer/Land Works, CEDD (CE/LW, CEDD);
- (e) Head of Geotechnical Engineering Office, CEDD (H(GEO), CEDD);
- (f) Commissioner of Police (C of P); and
- (g) Director of Agriculture, Fisheries and Conservation (DAFC).

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
 - (i) the application site (the Site) comprises Old Schedule Agricultural Lot held under the Block Government Lease which contains the restriction that no structure(s) are allowed to be erected without the prior approval of the Government; and
 - (ii) the lot owner(s) shall apply to his office for Short Term Waiver(s) (STW(s)) to permit the structure(s) erected or to be erected within the private lot, if any. The application(s) for STW 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), 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 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 proposed use; and
 - (iv) to meet the statutory requirements under relevant environmental legislation;
- (c) 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;
- (d) 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 Lau Fau Shan Road to the Site is not maintained by HyD. HyD should not be responsible for maintaining the access;
- (e) 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;

- (f) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) it is noted that seven structures 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 (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 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;
- (g) to note the comments of the Project Manager (West), Civil Engineering and Development Department (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; and
- (h) to note the comments of the Commissioner of Police (C of P) that in view of public safety, the applicant shall maintain a smooth traffic flow of the concerned location and provide sufficient safety precaution to avoid obstruction or danger caused to any person or vehicle on the road.

Urgent Return receipt Expand Group Restricted Prevent Copy Confidential

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年04月20日星期一 2:49
收件者: tpbpd/PLAND
主旨: A/YL-LFS/606 DD 129 Lau Fau Shan Rec
類別: Internet Email

A/YL-LFS/606

Lot 2170 RP (Part) in D.D. 129, Lau Fau Shan

Site area: About 1,,881sq.m

Zoning: "Commercial/Residential" and "Recreation"

Applied use: Shop and Services / 3 Vehicle Parking

Dear TPB Members,

The application is for the same lot approved under 398 on 11 June 21 and revoked 11 Mar 2023 for failure to implement both Drainage and Fire conditions plus some additional land.

The planned use is open to speculation. On one hand the consultant mentions "*alleviate the pressing demand for retail shops and service trades in the area.*"

But in a subsequent submission talks about a gemstone outlet catering for tourists.

The gemstone reference is risible. I recently took a visitor who is a film buff to see the old Yau M Tei Police Station. We then walked the Jade Market. While the police station area was crowded with selfie seekers, we were the only visitors to enter the market. It was clear that the stall holders were desperate to make a sale. That visitors would flock to Lau Fau Shan to buy similar products is questionable.

Members should question if the vehicle repair business continued to operate and if the site was restored after the revocation and lack of subsequent approval. The intention is liekly brownfield.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>

Urgent Return receipt Expand Group Restricted Prevent Copy Confidential

Date: Saturday, 8 May 2021 3:50 AM HKT

Subject: A/YL-LFS/398 DD 129 Lau Fau Shan Rec

A/YL-LFS/398

Lot 2170 RP (Part) in D.D. 129, Lau Fau Shan

Site area : About 1,143sq.m

Zoning : "Commercial/Residential" and "Recreation"

Applied use : Vehicle Repair Workshop / 4 Vehicle Parking

Dear TPB Members,

This is a long running operation, Tsun Hing Motor. However there is no history of approvals, presumably also for many of the other brownfields also.

The zoning intention would appear to be more mythical than realizable.

Mary Mulvihill