

Previous Applications covering the Application Site

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s)</u>	<u>Date of Consideration (RNTPC)</u>
1	A/YL-TYST/785	Proposed Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	8.4.2016 [revoked on 8.10.2017]
2	A/YL-TYST/859	Proposed Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	10.11.2017
3	A/YL-TYST/900	Proposed Temporary Place of Recreation and Sports (Martial Arts Training Venue) for a Period of 5 Years	6.7.2018
4	A/YL-TYST/1029	Proposed Temporary Shop and Services for a Period of 3 Years	10.7.2020
5	A/YL-TYST/1216	Renewal of Planning Approval for Temporary Shop and Services for a Period of 3 Years	23.6.2023 [revoked on 11.10.2024]
6	A/YL-TYST/1218	Renewal of Planning Approval for Temporary Place of Recreation and Sports (Martial Arts Training Venue) for a Period of 5 Years	23.6.2023 [revoked on 7.10.2024]

Similar Applications within the same “R(B)1” Zone in the past 5 years

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC)</u>
1	A/YL-TYST/1095 [#]	Proposed Temporary Shop and Services and Wholesale of Carpet for a Period of 3 Years	25.6.2021 [revoked on 25.11.2023]
2	A/YL-TYST/1120	Proposed Temporary Shop and Services for a Period of 3 Years	12.11.2021 [revoked on 12.8.2023]
3	A/YL-TYST/1127 [*]	Proposed Temporary Shop and Services for a Period of 3 Years	14.1.2022
4	A/YL-TYST/1186	Proposed Temporary Shop and Services for a Period of 3 Years	11.11.2022
5	A/YL-TYST/1248 [#]	Proposed Temporary Shop and Services and Wholesale of Carpet for a Period of 3 Years	12.1.2024
6	A/YL-TYST/1294 [*]	Renewal of Planning Approval for Temporary Shop and Services for a Period of 3 Years	10.1.2025
7	A/YL-TYST/1335	Renewal of Planning Approval for Temporary Shop and Services for a Period of 3 Years	7.11.2025

Remarks:

Straddling the adjacent “Government, Institution or Community” zone.

* Straddling the adjacent “Residential (Group D)” zone.

Government Departments' General Comments

1. Land Administration

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

- no adverse comment on the application;
- the application site (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; and
- the private lots and the GL in the Site are covered by Short Term Waiver No. 4678 and Short Term Tenancy No. 3068 for the purpose of “Temporary shop and services (real estate agency)” as well “Temporary shop and services and temporary place of recreation and sports (martial arts training venue)” respectively.

2. Traffic

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

No comment on the application from traffic engineering perspective.

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

No comment from highways maintenance point of view.

3. Food and Environmental Hygiene

Comments of the Director of Food and Environmental Hygiene (DFEH):

- no adverse comment on the application;
- no facilities of his department will be affected; and
- the applicant should note his advisory comments at **Appendix V**.

4. Environment

Comments of the Director of Environmental Protection (DEP):

- no adverse comment on the application;
- no substantiated environmental complaint concerning the application site received in the past three years; and
- should the Town Planning Board (the Board) consider that the application is acceptable from the planning point of view, approval condition requiring the

submissions of a revised sewerage impact assessment to the satisfaction of the Director of Environmental Protection or of the Board should be stipulated.

5. **Drainage**

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

- no in-principle objection to the application;
- based on the submitted planning statement, apparently the applicant would implement and maintain the same drainage facilities as those approved under previous planning applications No. A/YL-TYST/1216 and A/YL-TYST/1218; and
- should the Board consider that the application is acceptable from the planning point of view, approval conditions requiring the maintenance of the drainage facilities implemented under application Nos. A/YL-TYST/1216 and A/YL-TYST/1218, the submission of records of the existing drainage facilities on site and implementation of sewerage works identified in the revised sewerage impact assessment to the satisfaction of the Director of Drainage Services or of the Board should be stipulated.

6. **Fire Safety**

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

- no in-principle objection to the application subject to fire service installations and water supplies for firefighting being provided to his satisfaction; and
- the applicant should note his advisory comments at **Appendix V**.

7. **Building Matters**

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

- no objection under the Buildings Ordinance (BO) on the application; and
- it is noted that four 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 should be obtained, otherwise they are unauthorized building works under the BO. An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO.

8. **Long-term Development**

(a) Comments of the Chief Engineer/Cross-Boundary Infrastructure and Development, Planning Department (CE/CID, PlanD):

- the Civil Engineering and Development Department (CEDD) and PlanD jointly commissioned the “Planning and Engineering Study for Housing Sites in Yuen

Long South (YLS) – Investigation”. According to the Revised Recommended Outline Development Plan of YLS promulgated in May 2020, the Site falls partly within an area zoned “Residential – Zone 5” and partly within an area shown as ‘Road’; and

- the objective of YLS is to transform the degraded rural land predominantly occupied by brownfield operations including open storage yards, warehouses and rural industrial uses into housing and other uses with supporting infrastructure and community facilities, and to improve the existing environment. It is noted that the application is for temporary use for a period of three years. In considering the application for temporary uses, due consideration should be given on the possible implication on land clearance which would affect the future implementation of YLS.

(b) Comments of the Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD):

No objection to the application.

9. District Officer’s Comments

Comments of the District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD):

His office has not received any comment from the village representatives in the vicinity regarding the application.

10. Other Departments

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

- Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- Director of Electrical and Mechanical Services (DEMS); and
- Commissioner of Police (C of P).

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) should you fail to comply with any of the approval conditions again resulting in the revocation of planning permission, sympathetic consideration may not be given to any further applications;
- (c) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the Short Term Tenancy (STT) and Short Term Waiver (STW) holders will need to apply to his office for modification of the STT and STW conditions where appropriate. The application for STT and STW will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The STT and STW, if approved, will be subject to such terms and conditions including the payment of waiver fee, rent and administrative fee as considered appropriate by his department. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered;
- (d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that 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 Director of Food and Environmental Hygiene (DFEH) that:
 - (i) proper licence/permit issued by his department is required if there is any food business/catering service/activities regulated by him under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public. The operation of any eating place should be under a food licence issued by his department. If the operator intends to operate a restaurant business in the territory, a restaurant licence should be obtained from his department in accordance with the Public Health and Municipal Services Ordinance (Cap. 132). For the operation of other types of food business, relevant food licences should also be obtained from his department in accordance with Cap. 132. Under the Food Business Regulation, Cap. 132X, a Food Factory Licence should be obtained from his department for food business which involves the preparation of food for sale for human consumption off the premises before commencement of such business. The application for food business licences under Cap.132, if acceptable by his department, will be referred to relevant government departments for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance Please be reminded that, sufficient sanitary fitments must be provided and the installation of sanitary fitment requires approval of the Building Authority. Also, all sanitary fitments and scullery facilities must be connected to public mains water supply and fitted with a waste pipe connected to a proper drainage system. Alternatively, all sewage, soil water and waste water from the premises shall be drained into a sewage and waste water treatment system constructed to the satisfaction of this department. The licence will be issued upon compliance of all the requirements;
 - (ii) 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 his department, 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 Building Authority. Applicants should satisfy his department 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 his department will not process the application for a licence further;

- (iii) the operation of the eating place must not cause any environmental nuisance to the surrounding. The refuse generated by the proposed eating place are regarded as trade refuse. The management or owner of the Site is responsible for its removal and disposal at their expenses. The operation of any business should not cause any obstruction or environmental nuisance in the vicinity; and
- (iv) proper licence issued by his department 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 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 his department whatever the general public is admitted with or without payment;

(f) to note the comments of the Director of Environmental Protection (DEP) that:

- (i) adequate supporting infrastructure/ facilities should be provided for proper collection, treatment and disposal of waste/ wastewater generated from the proposed use. 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 Environmental Protection Department's Practice Note for Professional Person (ProPECC) PN 1/23 "Drainage Plans subject to Comment by the Environmental Protection Department" (ProPECC PN 1/23) including completion of percolation test and certification by Authorized Person;
- (ii) all wastewater collected from kitchen and washing areas, including that from basins, sinks and floor drains, should be discharged via a grease trap in accordance with the requirements of ProPECC PN 1/23, including grease trap should be capable of providing at least 20 minutes retention during peak flow;
- (iii) "Control of Oily Fume and Cooking Odour form Restaurant and Food Business" should be followed to minimise oily fume and cooking odour from the food business;
- (iv) the relevant mitigation measures and requirements in the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" should be followed to minimise the potential environmental nuisances on the surrounding area; and
- (v) it is the obligation of the applicant to meet the statutory requirements under relevant pollution control ordinances;

(g) to note the general comments of the Director of Fire Services (D of FS) that:

- (i) if the proposed structure(s) is 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; and

- (ii) regarding the fire services installations proposal submitted by the applicant, he advised that:
- i. for enclosed structure with gross floor area not exceeding 230 m², portable fire extinguisher and stand-alone fire detector shall be provided;
 - ii. in relation to item (i) above, if two or more stand-alone fire detectors are installed in an enclosed structure, all detectors shall be interconnected (either wired or wirelessly) such that when one of the detectors is triggered, all connected detectors shall sound an alarm simultaneously;
 - iii. stand-alone fire detectors shall be provided in accordance with the “Stand-alone Fire Detector General Guidelines on Purchase, Installation & Maintenance [Sep 2021]”;
 - iv. modified hose reel system, fire alarm system, emergency lighting and directional and exit signs are considered as self-upgrades and are not mandatory requirements of his Department;
 - v. if the applicant self-initiates the provision of a modified hose reel system, the standard and specification shall be provided in accordance with the “Codes of Practice for Minimum Fire Service Installations and Equipment and Inspection, Testing and Maintenance of Installations and Equipment [September 2022 revision]”;
 - vi. if the applicant self-initiates the provision of a fire alarm system, the standards and specification shall be in accordance with “BS 5839-1:2017 and the FSD Circular Letter No. 6/2021”;
 - vii. if the applicant self-initiates the provision of emergency lightings, the standards and specification shall be in accordance with “BS 5266-1:2016, BS EN 1838:2013 and the FSD Circular Letter No. 4/2021”;
 - viii. if the applicant self-initiates the provision of directional and exit signs, the standards and specification shall be in accordance with “BS 5266-1:2016 and the FSD Circular Letter No. 5/2008”; and
 - ix. the planning application no. for all submissions should be A/YL-TYST/1351;
- (h) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, 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, please submit technical assessment(s) in other aspect(s) and seek comment from relevant departments as necessary;
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) the Site is considered as two separate sites and each of them shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with the Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively;
 - (ii) both of the two sites do 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;

- (iii) if the existing structures are erected on leased land without the approval of the Building Authority, they are unauthorised building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the captioned application;
 - (iv) 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;
 - (v) if the proposed use under application is subject to issue of a license, the applicant should be reminded that any existing structures on the Site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority;
 - (vi) any temporary shelters or converted containers for office, storage, washroom or other uses considered as temporary buildings are 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; and
- (j) to note the comments of the Project Manager (West) (PM(W)), CEDD that based on the preliminary project boundary of the proposed Yuen Long South (YLS) New Development Area, the Site falls within the possible expansion of YLS New Development Area which is being reviewed together with YLS Third Phase Development. As the YLS Third Phase Development is subject to further review, the applicant should be aware of the possible implication on land clearance in relation to the implementation of YLS New Development Area. Detailed implementation programme with phasing and packaging of works for YLS Third Phase Development is being formulated.

Urgent Return receipt Expand Group Restricted Prevent Copy

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年04月27日星期一 1:42
收件者: tpbpd/PLAND
主旨: A/YL-TYST/1351 DD 121, Ronfg Yan San Tsuen
類別: Internet Email

A/YL-TYST/1351

Lot 1023 S.B RP, 1033 S.C, 1034 S.A RP (Part) in D.D. 121 and Adjoining GL, Tong Yan San Tsuen, Yuen Long

Site area: About 325sq.m (Includes Government Land of about 63sq.m)

Zoning: "Res (Group B) 1"

Applied use: Shop and Services / Eating Place / 1 Vehicle Parking

Dear TPB Members,

The Applicant is being less than honest. Application 1218 was revoked on 7 Oct 2024 for failure to fulfil drainage conditions. As the applicant proposes to operate an eating place this is of concern.

Members should question if the condition has now been fulfilled.

Mary Mulvihill