

Previous s.16 Applications covering the Application Site

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/39	Recreational Uses including Barbecue Spot, Playground, Refreshment Kiosk, Visitor Centre, Public Car Park and Ancillary Uses	GB & V	14.5.1999
2	A/YL-LFS/327	Temporary Private Vehicle Park (Private Cars) for a Period of 3 Years	V	5.10.2018 (Revoked on 5.1.2021)
3	A/YL-LFS/424	Temporary Place of Recreation, Sports or Culture (Organic Farm, Barbecue Site, Education and Visitor Centre, Leisure Activity Area and Ancillary Facilities) for a Period of 3 Years with Filling of Land and Ponds	GB & V	6.5.2022
4	A/YL-LFS/429	Temporary Public Vehicle Park for Private Cars for a Period of 5 Years with Filling of Land and Pond	V	12.8.2022 (Revoked on 12.11.2023)
5	A/YL-LFS/485	Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years and Associated Filling of Land and Excavation of Land	V	13.10.2023 (Revoked on 13.7.2025)

**Similar s.16 Applications within the same “Village Type Development” 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/427	Renewal of Planning Approval for Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	V	29.7.2022
2	A/YL-LFS/431	Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 5 Years and Filling of Land	V	26.8.2022
3	A/YL-LFS/464	Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) and Place of Recreation, Sports or Culture (Venue for Villager Ceremony) for a Period of 3 Years	V	19.5.2023 (Revoked on 19.2.2024)
4	A/YL-LFS/467	Proposed Temporary Public Vehicle Park for Private Cars for a Period of 3 Years and Filling of Land	V	9.6.2023
5	A/YL-LFS/480	Proposed Temporary Public Vehicle Park (Private Cars) and Shop and Services for a Period of 5 Years	V	25.8.2023 (Revoked on 25.8.2024)
6	A/YL-LFS/483	Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years	V	22.9.2023 (Revoked on 22.6.2025)
7	A/YL-LFS/528	Proposed Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years and Filling of Land	V, GB	4.10.2024
8	A/YL-LFS/535	Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years and Associated Filling of Land	V	28.2.2025
9	A/YL-LFS/536	Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years and Associated Filling of Land	V, GB, R(A)	6.12.2024 (Revoked on 6.6.2026)
10	A/YL-LFS/548	Proposed Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years and Associated Filling of Land	V	14.3.2025
11	A/YL-LFS/562	Renewal of Planning Approval for Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	V	15.8.2025
12	A/YL-LFS/584	Temporary Public Vehicle Park (Private Cars Only) and Associated Filling of Land for a Period of 3 Years	V	23.1.2026
13	A/YL-LFS/603	Temporary Public Vehicle Park (Excluding Container Vehicles) with Ancillary Facilities for a Period of 5 Years	V	17.4.2026

Government Departments' General Comments

1. Land Administration

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 V**.

2. Traffic

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 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**.

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 drainage point of view.
- (b) 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.

- (c) 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 (FSIs) being provided to his satisfaction.
- (b) The applicant should note his detailed comments on the submitted FSIs proposal at **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) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD);
- (c) Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD);
- (d) Chief Engineer/Land Works, CEDD (CE/LW, CEDD);
- (e) Head of Geotechnical Engineering Office, CEDD (H(GEO), CEDD);
- (f) Project Team Leader/Project Unit, CEDD (PTL/PU, CEDD); and
- (g) Director of Agriculture, Fisheries and Conservation (DAFC).

Recommended Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the application site (the Site);
- (b) to resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (c) should the applicant 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;
- (d) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
 - (i) the Site comprises Old Schedule Agricultural Lots 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 lots, 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 applied use is temporary in nature, only erection of temporary structure(s) will be considered;
- (e) to note the comments of the Director of Environmental Protection that the applicant is advised:
 - (i) that no vehicle exceeding 5.5 tonnes, including medium goods vehicle, heavy goods vehicle and container trailer/tractor, as defined in the Road Traffic Ordinance, is allowed to enter/exit or to be parked/stored on the Site at any time during the planning approval period;
 - (ii) to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites”;
 - (iii) 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;
 - (iv) to provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the applied use; and
 - (v) to meet the statutory requirements under relevant environmental legislation;
- (f) to note the comments of the Commissioner for Transport 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;
- (g) 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 Tin Ying Road to the Site is not maintained by HyD. HyD should not be responsible for maintaining the access;
- (h) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) on the submitted drainage proposal that:
 - (i) the applicant should make reference to the latest Technical Note No. 1 issued by DSD for more details in preparing the drainage proposal;
 - (ii) the existing and proposed ground levels of the Site and its adjacent areas should be indicated on the cross sections. The proposed drainage facilities should also be indicated on the cross sections;
 - (iii) the applicant should confirm if any walls or hoarding are/to be erected or laid along the site boundary. If affirmative, adequate opening should be provided to intercept the existing overland flow passing through the Site and please provide its details for comments;
 - (iv) the proposal should indicate how the runoff (the flow direction) within the Site would be discharged to the proposed U-channel;
 - (v) catchpit should be provided at the turning point of the proposed U-channel;
 - (vi) the applicant should provide manhole/catchpit schedule for review;
 - (vii) the applicant should demonstrate with hydraulic calculation that the proposed/existing drainage facilities are adequate to collect, convey and discharge the surface runoff accrued on the Site and the overland flow intercepted from the adjacent lands;
 - (viii) the applicant should provide more details (e.g. relevant drainage plan, size, gradient, invert level and cover level of the drainage facilities etc.) for Civil Engineering and Development Department future drainage system for review;
 - (ix) sand trap or provision alike should be provided at the terminal catchpit in the Site before the collected runoff is discharged to the public drainage facilities;
 - (x) the applicant should provide the connection details at the discharge point and indicate details (e.g. cover level, invert level and catchpit/watercourse bottom level) in the drawing;
 - (xi) standard details should be provided to indicate the sectional details of the proposed U-channel and the catchpit/sand trap;
 - (xii) according to Technical Note No. 1, the applicant should refer to DSD Advice Note No. 1 and is suggested to employ a qualified engineer (Registered Professional Engineer in the Civil Engineering discipline) to complete the drainage submission as requested. The completed drainage submission should be signed and certified by the qualified engineer

in charge before it is submitted to DSD for comment;

- (xiii) the development should neither obstruct overland flow and nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc.;
 - (xiv) the applicant should resolve any conflict/disagreement with relevant lot owner(s) and seek permission from District Lands Officer/Yuen Long for laying new drains/channels and/or modifying/upgrading existing ones in other private lots or on Government Land, where required, outside the Site; and
 - (xv) 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 is required to submit technical assessment(s) in other aspect(s) and seek comment from relevant departments as necessary;
- (i) to note the comments of the Director of Fire Services (D of FS) on the submitted fire service installations (FSIs) proposal that:
- (i) for enclosed structure with gross floor area not exceeding 230m², 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]”; and
 - (iv) provision of FSIs shall be demonstrated in form of FS Notes with all relevant standards and specifications; and
- (j) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) it is noted that one structure and associated filling of land and pond and excavation of land 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 Buildings Ordinance (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 structure (not being a New Territories Exempted House) is 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.

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tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年06月11日星期四 22:48
收件者: tpbpd/PLAND
主旨: A/YL-LFS/613 DD 129 Sha Kong Wai
類別: Internet Email

Dear TPB Members,

485 approved 13 Oct 2023. Revoked 13 July 2025 for the usual Drainage and Fire.

Members MUST consider that there have been repeated failures to fulfill conditions. Moreover the papers talk about proposals but no concrete action.

Members can no longer make excuses for operators who refuse to fulfill conditions and excuses that faults lie with the village layout. This is crap as any mediocre engineer could find a solution. The Tai Po Fire Investigation has alerted the community to the shocking degree of complacency and failure to ensure that regulations are implemented.

This operator has been pandered to for far too long. From now on the community expectations are that RULES ARE RULES AND FAILURE TO FULFILL CONDITIONS WILL NO LONGER BE A MERE FORMALITY.

The application should be rejected.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Tuesday, 12 September 2023 3:26 AM HKT
Subject: A/YL-LFS/485 DD 129 Sha Kong Wai

A/YL-LFS/485

Lots 2794, 2795, 2796, 2798, 2799, 2800, 2831 (Part) and 2832 in D.D. 129, Sha Kong Wai, Yuen Long

Site area: About 8,000sq.m

Zoning: "VTD"

Applied use: 189 Vehicle Parking / **Filling of Land and Excavation of Land**

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Dear TPB Members,

Strong Objections. This is an extension of application 429 for parking approved in 2022 and with conditions not fulfilled. This plan would bring the filling of land to the periphery of the large pond.

There are a number of trees on the site so the intention is clearly destroy to build. The lots are part of Application 424 approved for various recreational uses.

There is no justification for yet another large car park in the village, 394 for 145 parking was approved in May 2021 – conditions still not fulfilled. How many people live in this village???

Members should not be participants in plans to strip this village of every vestige of its character and culture. Questions must be raised as to what is the true intention for the proposed land filling close to the pond that should be protected and have a buffer zone. There has been a lot of debate recently with regard to what visitors to HK are looking for, and the need to protect and enhance those unique characteristics that are now the focus of attention in the post-Covid climate.

Application must be rejected.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Tuesday, 26 July 2022 1:48 AM CST
Subject: A/YL-LFS/429 DD 129 Sha Kong Wai

Dear TPB Members,

327 was approved 5 Oct 2018

REVOKED ON 5.1.2021:

As the applicant had failed to comply with conditions (e), (f) & (j) satisfactorily by 5.1.2021, the planning permission for the subject application had already been revoked on the same date. Drainage and fire services not complied with.

That was one and a half years ago but operation has been allowed to continue and now back with an application for 34 vehicles.

So another reward for failure to fulfill regulations in our, we are told, rule by law society?

Mary Mulvihill

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

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Date: Wednesday, 12 September 2018 1:41 AM CST

Subject: A/YL-LFS/327 DD 129 Sha Kong Wai

A/YL-LFS/327

Lots 2632, 2634 (Part), 2796 (Part), 2797 (Part) and 2798 (Part) in D.D. 129, Sha Kong Wai, Yuen Long

Site area :About 1,484m²²

Zoning : "VTD"

Applied Use : 24 Vehicle Parking

Dear TPB Members,

It is unacceptable that 60+sqmts, the size of many 3-bedroom family units for sale these days, is being devoted to parking a single vehicle. This large site could be used for some form of temporary recreational or open space use. I note that many years ago it was used as a BBQ site.

Moreover the site is zoned for residential use so the long term use as parking facilities will have a cumulative and negative impact on the quality of the land and environs.

TPB members should recognize the part they have been playing a role in the proliferation of brownfield sites and degradation of the countryside via their far too liberal approval of that most inefficient land use, at grade parking. Vehicles should be parked underground, in custom built high rise towers or on the ground floor of 2,100sqft Net houses or villa developments.

If parking is indeed required it should be provided in stacked facilities, see attached, thereby freeing up land for other uses. Moreover this parking is for a private residential complex so is in essence a commercial activity. Please question TD on the ramifications with regard to guidelines and the requisite permit for such uses.

As land owners and government departments are reluctant to move forward then TPB should provide impetus by rejecting these plans.

Mary Mulvihill