

Previous S.16 Applications covering the Application Site

Approved Application

Application No.	Uses/Development	Date of Consideration
A/HSK/489	Proposed Temporary Recyclable Collection Centre (Electronic Parts) for a Period of 3 Years	24.11.2023 (revoked on 24.5.2025)

Government Departments' General Comments

1. Traffic

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

- no adverse comment on the application from traffic engineering point of view; and
- his advisory comments are at **Appendix IV**.

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

- no objection to the application from highway maintenance point of view; and
- his advisory comments are at **Appendix IV**.

2. Drainage

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

- no in-principle objection to the application from drainage point of view;
- should the application be approved, 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; and
- his advisory comments are at **Appendix IV**.

3. Fire Safety

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

- no in-principle objection to the application subject to the fire service installations (FSIs) and water supplies for firefighting being provided to his satisfaction;
- in consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicant is advised to submit revised layout plans incorporated with the proposed FSIs to his department for approval; and
- his advisory comments are at **Appendix IV**.

4. Environment

Comments of the Director of Environmental Protection (DEP):

- no objection to the application;

- there was no environmental complaint pertaining to the application site (the Site) received in the past three years; and
- his advisory comments are at **Appendix IV**.

5. **Long Term Development**

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

- 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 CEDD and PlanD. The implementation programme and land resumption/clearance programme of the Lau Fau Shan Development is currently being reviewed under the Investigation Study and subject to change; and
- if the application is granted, notwithstanding the validity period, the applicant should note his advisory comments at **Appendix IV**;

6. **District Officer’s Comments**

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

- no comment from departmental point of view; and
- his office has not received any comment from the locals on the application.

7. **Other Departments’ Comments**

The following government departments have no objection to/no comment on the application with advisory clauses at **Appendix IV**:

- Chief Building Surveyor/New Territories West, Buildings Department;
- Chief Engineer/Construction, Water Supplies Department; and
- Commissioner of Police.

Recommended Advisory Clauses

- (a) the planning permission is given to the uses and/or structures under application. It does not condone any other use(s) and/or structure(s) which currently occur on the application site (the Site) but not covered by the application. Immediate action should be taken to discontinue such use(s) and/or remove such structure(s) not covered by the planning permission;
- (b) should the applicant fail to comply with any of the approval conditions again resulting in revocation of the planning permission, sympathetic consideration may not be given by the Rural and New Town Planning Committee/Town Planning Board to any further applications;
- (c) to resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (d) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
 - there is/are unauthorised structure(s) on Lot 47 in D.D. 128 which is/are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularisation on the lease breaches as demanded by LandsD; and
 - the lot owner(s) shall apply to his office for Short Term Waiver(s) (STWs) and Short Term Tenancy(s) (STTs) to permit the structure(s) erected within the said private lot and the occupation of the Government land. The application for STW(s) and STT(s) 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;
- (e) to note the comments of the Commissioner for Transport that:
 - sufficient manoeuvring space 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;
- (f) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
 - the access road from Ping Ha Road to the Site is not maintained by HyD and HyD will not take up the maintenance responsibility 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;
- (g) to note the comments of the Director of Fire Services that:
 - the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of the proposed fire service installations to be installed should be clearly marked on the revised layout plans; and

- 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;
- (h) to note the comments of the Director of Environmental Protection (DEP) that the applicant is advised that:
- no workshop activities, including burning, melting and washing of recyclable materials, are allowed at the Site at any time during the planning approval period;
 - no washing or use of machinery for further processing of electronic parts, is allowed at the Site at any time during the planning approval period;
 - 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 at the Site at anytime during the planning approval period;
 - to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites”;
 - 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;
 - to provide adequate supporting infrastructure/ facilities for proper collection, treatment and disposal of waste / wastewater generated from the proposed use; and
 - to meet the statutory requirements under relevant environmental legislation;
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, 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 unauthorised 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 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 Regulation 19(3) of the B(P)R at the building plan submission stage;
 - if the existing structure is 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;
 - 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;

- 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;
- (j) to note the comment of the Project Manager (West), Civil Engineering and Development Department (PM(W), 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 CEDD and the Planning Department. 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
- (k) to note the comments of the Commissioner of Police that the applicant must maintain the 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03日星期五 4:35
收件者: tpbpd/PLAND
主旨: A/HSK/604 DD 128 Ha Tsuen GIC
類別: Internet Email

Dear TPBMembers,

489 approved 24 Nov 2023. Revoked 24 Ma 2025 for failure to fulfill a number of conditions.

"The applicant hopes your office will reconsider and promises to fulfill all attached conditions this time"

Promises, promises, promises. Where is the documentary proof?

There are deadly fires at these operations on an almost weekly basis.

It is unacceptable to the community in the wake of the Tai Po disaster and related revelations that applications like this be streamlined and rubber stamped on mere promises.

The application should be rejected.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Wednesday, 25 October 2023 2:39 AM HKT
Subject: A/HSK/489 DD 128 Ha Tsuen GIC

Dear TPB Members,

480 withdrawn. Objections relevant and upheld.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Friday, 25 August 2023 2:13 AM HKT
Subject: A/HSK/480 DD 128 GB

A/HSK/480

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy ☐Confidential
Lot 47 (Part) in D.D. 128 and Adjoining Government Land, Ha Tsuen

Site area: About 1,460sq.m Includes Government Land of about 60sq.m

Zoning: "GIC" and area shown as 'Road'

Applied use: Recyclable Collection Centre / 1 Vehicle Parking

Dear TPB Members,

While the area has a number of Open Storage and other brownfield operations, there is no history of approvals for this site.

As it is designated for GIC it is not appropriate that an operation that could introduce toxins into the soil be approved. The good health of incoming residents should be a prime consideration.

Mary Mulvihill