

Previous S.16 Applications covering the Application Site

Approved Applications

Application No.	Uses/Development	Date of Consideration
A/YL-HT/54	Temporary Open Storage of Container with Ancillary Office and Parking for a Period of 12 Months	14.8.1998
A/YL-HT/123	Temporary Open Storage of Container with Ancillary Office and Parking for a Period of 12 Months	17.12.1999
A/YL-HT/185	Temporary Open Storage of Containers, and Ancillary Office Parking of Vehicles and Maintenance Workshop for a Period of 3 Years	12.1.2001 (revoked on 12.4.2001)
A/YL-HT/235	Temporary Open Storage of Containers, and Ancillary Office, Parking of Vehicles and Maintenance Workshop for a Period of 3 Years	8.2.2002
A/YL-HT/273	Minor Amendments to an Approved Scheme Temporary Open Storage of Containers and Ancillary Office, Parking of Vehicles and Maintenance Workshop for a Period of 3 Years	12.10.2002
A/YL-HT/383	Temporary Open Storage of Containers with Ancillary Office, Parking of Vehicles and Maintenance Workshop for a Period of 3 Years	18.3.2005
A/YL-HT/533	Temporary Open Storage of Containers and Ancillary Office, Parking of Vehicles and Maintenance Workshop for a Period of 3 Years	7.3.2008
A/YL-HT/727	Temporary Open Storage of Container and Recyclable Material with Ancillary Workshop and Ancillary Freight Forwarding Facility, Tyre Repair Workshop, Warehouse and Canteen for a Period of 3 Years	6.5.2011 (revoked on 6.6.2013)
A/YL-HT/897	Proposed Temporary Open Storage of Container with Ancillary Workshop, Warehouse with Freight Forwarding Facility, Open Storage of Recyclable Material, and Ancillary Tyre Repair Workshop and Canteen for a Period of 3 Years	9.5.2014 (revoked on 9.6.2016)
A/YL-HT/1061	Temporary Warehouse and Logistics Centre for a Period of 3 Years	23.12.2016 (revoked on 23.5.2019)
A/HSK/156	Temporary Warehouse and Logistics Centre for a Period of 3 Years	5.7.2019 (revoked on 5.12.2021)
A/HSK/561	Proposed Temporary Open Storage of Vehicles (Private Cars) for a Period of 3 Years	1.8.2025

Rejected Application

Application No.	Uses/Development	Date of Consideration
A/YL-HT/12	Temporary Open Storage of Containers with Repairing Area for a Period of 12 Months	26.4.1996

Rejection Reasons(s)

- (1) No strong justification for a departure from the planning intention.
- (2) The turning movement of container vehicles in and out would interrupt traffic flow and pose serious road safety hazard to motorists and road users due to its proximity to a bus stop.
- (3) Setting an undesirable precedent.
- (4) Insufficient information to demonstrate no adverse drainage impacts on the surrounding areas.

**Similar S.16 Applications within Subject
“Government, Institute or Community” and “Open Space” Zones
on the Hung Shui Kiu & Ha Tsuen Outline Zoning Plan in the Past Five Years**

Approved Applications

Application No.	Uses/Development	Date of Consideration
A/HSK/401	Temporary Warehouse for Storage of Construction Materials, Machinery and Spare Parts for a Period of 3 Years	23.9.2022
A/HSK/593	Temporary Warehouse for Storage of Construction Machinery and Construction Materials for a Period of 3 Years	6.2.2026
A/HSK/579*	Proposed Temporary Warehouse for Storage of Construction Material, Plastic, Machinery, Spare Part and Ancillary Packaging Workshop for a Period of 3 Years	27.3.2026

*largely covering the same site

Government Departments' General Comments

1. Traffic

(a) Comments of the Commissioner for Transport:

No adverse comment on the application from traffic engineering perspective.

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

No objection to the application from highway maintenance point of view.

2. Drainage

Comments of the Chief Engineer/Mainland North, Drainage Services Department:

- no in-principle objection to the application from drainage point of view; and
- should the application be approved, a condition should be stipulated requiring the applicant to submit a drainage proposal, to implement and maintain the proposed drainage facilities to his satisfaction.

3. Fire Safety

Comments of the Director of Fire Services:

- no in-principle objection to the application subject to fire service installations (FSIs) and water supplies for firefighting being provided on the application site (the Site); and
- in consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicant is required to submit relevant layout plans incorporated with the proposed FSIs to his department for approval.

4. Environment

Comments of the Director of Environmental Protection:

- no objection to the application; and
- there was no environmental complaint pertaining to the Site received in the past three years.

5. Building Matters

Comments of the Chief Building Surveyor/New Territories West, Buildings Department:

No objection to the application.

6. Long-term Development

(a) 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 Planning Department and CEDD. 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**.

(b) Comments of the Director of Leisure and Cultural Services:

- no in-principle objection to the application; and
- she has no plan to develop the Site into any recreation or sports venue in the coming three years.

7. District Officer’s Comments

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

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

8. Other Departments’ Comments

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

- District Lands Officer/Yuen Long, Lands Department;
- Chief Engineer/Construction, Water Supplies Department; and
- Commissioner of Police.

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/Lands Department (DLO/YL, LandsD) that the lot owner(s) shall apply to his office for Short Term Waiver(s) (STWs) to permit the structure(s) erected or to be erected within the subject 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 proposed use is temporary in nature, only erection of temporary structure(s) will be considered;
- (c) to note the comments of the Commissioner for Transport 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 that:
- the applicant/owner should have its own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from surrounding of the Site, e.g. surface channel of sufficient size along the perimeter of the Site; sufficient openings should be provided at the bottom of the boundary wall/fence to allow surface runoff to pass through the Site if any boundary wall/fence are to be erected. Any existing flow path affected should be re-provided. The applicant/owner should neither obstruct overland flow nor adversely affect the existing natural streams, village drains, ditches and the adjacent areas. There is no details on site layout, site cross section and the information/condition of existing water course/drainage facilities provided in the application. As such, only preliminary comments are provided. It is assumed that the existing water course and drainage facilities remain unchanged and should not be affected/altered/modified. Any earth filling of the watercourse, drainage diversion works or modification works is not allowed unless a drainage proposal is submitted and accepted. The applicant/owner should be reminded that their drainage facilities should 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 systems if they are found to be inadequate or ineffective to accommodate the additional runoff arisen from the application. The applicant/owner should also be liable for and should indemnify claims and demands arising out of damage or nuisance caused by failure of ineffectiveness of the drainage systems caused by his application; and

- the cost and work of drainage as well as future maintenance responsibility should be borne by the applicant;
- (f) to note the comments of the Director of Fire Services that:
- the layout plans should be drawn to scale and depicted with dimensions and the nature of occupancy;
 - the location of the proposed fire service installations to be installed should be clearly marked on the layout plans; and
 - if the proposed structure(s) are 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;
- (g) to note the comments of the Director of Environmental Protection 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 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) 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 the Regulation 19(3) of the B(P)R at building plan submission stage;
 - if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the BA, they are UBW under the BO and should not be designated for any applied 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;
 - the 15m high of two-storey warehouses are considered excessive. It should be justified upon formal plan submission to the BD; and

- detailed checking under the BO will be carried out at building plan submission stage;
- (i) to note the comments 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 Planning Department and CEDD and the implementation and land resumption/clearance programme of the Lau Fau Shan, Tsim Bei Tsui and Pak Nai Developments are 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 shall be advised not to carry out any substantial works therein; 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.

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年06月21日星期日 1:16
收件者: tpbpd/PLAND
主旨: A/HSK/614 DD 129 Ha Tsuen GIC and OS
類別: Internet Email

A/HSK/614

Lots 38A (par), 38 (part), 39 (part), 40 (part), 55 in D.D. 128 and Lots 3001 (part), 3003, 3004 (part), 3005, 3006, 3007, 3008, and 3009s in DD. 129, Ha Tsuen

Site area: About 5,290sq.m Includes Government Land of about 110sq.m

Zoning: "GIC" and "Open Space"

Applied use: Warehouse Construction Materials / 5 Vehicle Parking

Dear TPB Members,

561 was streamlined and rubber stamped On 1 Aug 2025 despite proof of illegal activities:

*"The Site is subject to active planning enforcement action against nauthorized development (UD) involving storage use (No. E/YL-HSK/129) (Plan A-2). Enforcement Notice (EN) was issued on 4.3.2025 requiring discontinuation of the UD. Site inspection conducted in June 2025 revealed that the UD still continued upon expiry of the notice, and **prosecution action is being considered.**"*

The actual focus of the streamlining process is to reward operators who flaunt the law. So much for HK Rule of Law, Blah, Blah.

Conditions not fulfilled and now back with warehouse plans with the GL dropped.

Of alarm with this and the operations adjacent is that the narrow buffer "OS" between the brownfield and the watercourse has been eliminated.

Yet no member questioned the wisdom of this in view of record rain falls and more to come. The warehouse is planned to be built right up to the perimeter.

Perhaps some member might take interest in this issue and question its wisdom.

Mary Mulvihill

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From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Thursday, 8 May 2025 4:00 AM HKT
Subject: A/HSK/561 DD 129 Ha Tsuen GIC and OS

A/HSK/561

Various Lots in D.D. 128 and D.D. 129 and Adjoining Government Land, Ha Tsuen

Site area: About 5,390sq.m Includes Government Land of about 110sq.m

Zoning: "GIC" and "Open Space"

Applied use: Open Storage of Vehicles / 2 Vehicle Parking

Dear TPB Members,

There is no indication as to what operations were carried out on the site since the previous recorded approved A/HSK/156 was revoked in Dec 2021 for failure to fulfil Fire conditions.

No data provided with regard to this applicant's arrangements re this condition. Members should question this.

Mary Mulvihill