

Similar s.16 Applications within/straddling the same “V” Zone of the Site
in the past five years

Approved Applications

No.	Application No.	Use(s)/Development(s)	Date of Consideration (RNTPC)
1.	A/YL-KTS/1017	Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years and Filling of Land	4.10.2024
2.	A/YL-KTS/1039	Proposed Temporary Shop and Services (Retail Shop for Hardware Groceries and Construction Materials) with Ancillary Facilities and Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 5 Years and Associated Filling of Pond	20.12.2024

Government Departments' General Comments

1. Traffic

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

- no in-principle objection to the application from highways maintenance point of view;
- the application site (the Site) involves Government land which is not under HyD's maintenance purview;
- the applicant should ensure a run-in/out is constructed in accordance with the latest version of HyD Standard Drawings no. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement; and
- advisory comments are at **Appendix IV**.

2. Drainage

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

- no objection in principle to the application;
- should the application be approved, approval conditions should be stipulated requiring the submission of a drainage proposal and the implementation and maintenance of the proposed drainage facilities to the Director of Drainage Services' or the Town Planning Board's satisfaction; and
- advisory comments are at **Appendix IV**.

3. Environment

Comments of the Director of Environmental Protection:

- no objection to the application from environmental planning perspective;
- there was no environmental complaint concerning the Site received in the past three years; and
- advisory comments are at **Appendix IV**.

4. Landscape

Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department:

- no adverse comment on the application from landscape planning perspective;
- based on the aerial photo taken in October 2024, the Site was situated in an area of miscellaneous rural fringe landscape character comprising village houses, vacant land, open storage sites/warehouses, areas parked with vehicles and scattered tree groups.

The proposed use is not incompatible with the landscape setting in the proximity;

- according to the above aerial photo and site photos, the Site was largely covered with self-grown vegetation without any trees. Some trees of common species were observed outside the southeastern site boundary along Pat Heung Road. According to the applicant's submission, no tree felling will be involved;
- in view of the above, significant adverse landscape impact arising from the proposed use is not anticipated; and
- advisory comments are at **Appendix IV**.

5. **Building Matters**

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

- no objection to the application; and
- advisory comments are at **Appendix IV**.

6. **District Officer's Comments**

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

- no comment on the application; and
- his office has not received comment on the application from locals upon close of consultation.

7. **Other Departments**

The following government departments have no objection to or no adverse comment on the application and their advisory comments, if any, are at **Appendix IV**:

- Director of Fire Services;
- Director of Agriculture, Fisheries and Conservation;
- Director of Electrical and Mechanical Services;
- Project Manager (West), Civil Engineering and Development Department;
- Chief Engineer/Railway Development 1-1, Railway Development Office, HyD;
- Chief Engineer/Construction, Water Supplies Department; and
- Commissioner of Police.

Recommended Advisory Clauses

- (a) the permission is given to the uses and/or structures under the application. It does not condone any other uses and/or structures which currently occur on the application site (the Site) but not covered by the application. Immediate action should be taken to discontinue such uses and remove such structures not covered by the permission;
- (b) to resolve any land issues relating to the proposed use with the concerned owner(s) and/or occupant(s) of the Site;
- (c) to note the comments of the District Lands Officer/Yuen Long, Lands Department (LandsD) that it is noted that the applicant has undertaken to remove the structures on Lot 1892 S.AO in D.D. 106 and there will be no structures within the Site. The applicant has to obtain policy support(s) to the direct grant from the relevant departments/bureau and apply to his office for a Short Term Tenancy (STT) to permit the occupation of the Government land. The application(s) for STT will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STT, if approved, will be subject to such terms and conditions including the payment of rent and administrative fee as considered appropriate by LandsD;
- (d) to note the comments of the Commissioner for Transport that:
 - (i) the Site is connected to the public road network via a section of a local access road which is not managed by Transport Department. The land status of the local access road should be checked with LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly;
 - (ii) sufficient manoeuvring space shall be provided within the Site; and
 - (iii) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (HyD) that:
 - (i) HyD shall not be responsible for the maintenance of the proposed access connecting the Site and Pat Heung Road, including the local tracks; and
 - (ii) adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department that:
 - (i) all existing drains/watercourse should be maintained and the overland flow from adjacent lands should not be affected; and
 - (ii) 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 government departments as necessary;

- (g) to note the comments of the Director of Environmental Protection that:
 - (i) the applicant shall follow the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites';
 - (ii) the applicant shall follow the relevant guidelines and requirements in relevant Professional Persons Environmental Consultative Committee Practice Notes (ProPECCPNs), in particular the ProPECCPN 1/23 'Drainage Plans subject to Comment by the Environmental Protection Department';
 - (iii) the applicant shall provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the proposed use; and
 - (iv) the applicant shall meet the statutory requirements under relevant environmental legislation;
- (h) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that approval of the application does not imply approval of tree works such as pruning, transplanting and felling. Application for any tree works should be submitted to relevant departments for approval; and
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that:
 - (i) 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;
 - (ii) the Site abuts on a specified street (Pat Heung Road) of not less than 4.5m wide. Its permitted development intensity shall be determined under the First Schedule of B(P)R, where no plot ratio/gross floor area restriction has been stipulated in statutory plans/approved planning applications;
 - (iii) before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Site, prior approval and consent of the Building BD should be obtained, otherwise they are unauthorised building works (UBW). An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the Building Ordinance (BO);
 - (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; and
 - (v) 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
- (j) to note the comments of the Commissioner of Police that the proposed use shall not cause traffic congestion or flooding.