

Previous Application Covering the Application Site

Approved Application

	<u>Application No.</u>	<u>Development(s)/Use(s)</u>	<u>Date of Consideration (RNTPC)</u>
1	A/YL-TT/624	Proposed Temporary Shop and Services for a Period of 3 Years	12.1.2024 [revoked on 12.7.2025]

**Similar Applications within/straddling the Subject “V” Zone
on the Tai Tong Outline Zoning Plan in the Past Five Years**

Approved Applications

	<u>Application No.</u>	<u>Development(s)/Use(s)</u>	<u>Date of Consideration (RNTPC)</u>
1	A/YL-TT/539	Proposed Temporary Shop and Services for a Period of 3 Years	10.6.2022 [revoked on 10.3.2024]
2	A/YL-TT/549	Proposed Temporary Shop and Services for a Period of 5 Years	24.6.2022
3	A/YL-TT/555	Proposed Temporary Shop and Services for a Period of 3 Years	15.7.2022 [revoked on 15.10.2023]
4	A/YL-TT/558	Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	29.7.2022 [lapsed on 16.8.2025]
5	A/YL-TT/565	Proposed Temporary Public Vehicle Park (Private Cars) for a period of 3 years	22.12.2023 [revoked on 22.6.2024]
6	A/YL-TT/566	Temporary Shop and Services for a Period of 3 Years	9.9.2022 [revoked on 17.3.2023]
7	A/YL-TT/591	Temporary Shop and Services for a Period of 3 Years	27.10.2023
8	A/YL-TT/678	Proposed Temporary Shop and Services for a Period of 3 Years and Associated Filling of Land	8.11.2024 [revoked on 8.5.2026]
9	A/YL-TT/679	Proposed Temporary Shop and Services for a Period of 3 Years	24.1.2025
10	A/YL-TT/690	Proposed Temporary Shop and Services for a Period of 3 Years	11.4.2025
11	A/YL-TT/693	Proposed Temporary Shop and Services for a Period of 3 Years	28.2.2025
12	A/YL-TT/723	Proposed Temporary Shop and Services (Local Provision Store) for a Period of 3 Years	5.12.2025
13	A/YL-TT/762	Proposed Temporary Shop and Services for a Period of 3 Years	27.2.2026

Government Departments' General Comments

1. Land Administration

Comments of the District Lands Officer/Yuen Long, Lands Department:

- No adverse comment on the application.
- There is no Small House application approved or under processing at the application site (the Site).
- Advisory comments as detailed in **Appendix IV**.

2. Traffic

(a) Comments of the Commissioner for Transport:

- No adverse comment from traffic engineering perspective.
- Advisory comments as detailed in **Appendix IV**.

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

- No adverse comment on the application from highways maintenance perspective.
- Advisory comments as detailed in **Appendix IV**.

3. Drainage

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

- No in-principle objection to the application from the public drainage point of view provided that all existing drains/watercourse should be maintained and the overland flow from adjacent lands should not be affected.
- Should the application be approved, conditions should be stipulated to request the applicant to submit a revised drainage proposal and to implement and maintain the drainage facilities for the proposed use to the satisfaction of the Director of Drainage Services or of the Town Planning Board.
- Advisory comments as detailed in **Appendix IV**.

4. Fire Safety

Comments of the Director of Fire Services:

- No in-principle objection to the proposal subject to the fire service installations and water supplies for firefighting being provided to the Site.
- Advisory comments as detailed in **Appendix IV**.

5. **Environment**

Comments of the Director of Environmental Protection:

- No objection to the application.
- No environmental complaint concerning the Site has been received in the past three years.
- Advisory comments as detailed in **Appendix IV**.

6. **Building Matters**

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

- No objection to the application.
- Advisory comments as detailed in **Appendix IV**.

7. **District Officer's Comments**

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

His office has not received any comments on the application from the village representatives in the vicinity of the Site.

8. **Other Departments**

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

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

Recommended Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the application site (the Site);
- (b) 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;
- (c) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
 - (i) 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;
 - (ii) no permission is given for occupation of GL (about 30 m² as mentioned in the application form) included in the Site. Any occupation of GL with Government's prior approval is an offence under Cap. 28; and
 - (iii) the lot owner(s) shall apply to LandsD for a Short Term Waiver (STW) and Short Term Tenancy (STT) to permit the structure(s) erected within the private lots and the occupation of the GL. The application(s) for STW and STT will be considered by LandsD in its capacity as a landlord and there is no guarantee that the application(s) will be approved. The STW and STT, if approved, will be subject to such terms and conditions including the payment of waiver fee, rent 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;
- (d) to note the comments of the Commissioner for Transport that:
 - (i) the local track leading to the Site are not under Transport Department's purview. The applicant shall obtain consent of the owners/managing parties of the local track for using it as the vehicular access to the Site; and
 - (ii) sufficient manoeuvring space shall be provided within the Site. No queueing and reversing of vehicles on public road are allowed;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
 - (i) HyD should not be responsible for the maintenance of any access connecting the Site and Tai Tong Shan Road;
 - (ii) 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
 - (iii) 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 Director of Environmental Protection that:

to follow the relevant mitigation measures and requirements in the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” issued by Environmental Protection Department to minimise any potential environmental nuisances on the surrounding area;

- (g) to note the comments of the Director of Fire Services that:

- (i) the relevant layout plans should be incorporated with the proposed fire service installations (FSIs) to the Fire Services Department for approval;
- (ii) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy, and the location of the proposed FSIs to be installed should be clearly marked on the layout plans; and
- (iii) 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 Chief Engineer/Mainland North of Drainage Services Department (CE/MN, DSD) that:

- (i) please make reference to the latest Technical Note No. 1 issued by DSD for more details in preparing the drainage proposal;
- (ii) figure 4 - The cover levels and invert levels of the proposed u-channels, catchpits/sand traps should be shown on the drainage plan;
- (iii) figure 4 - Please clarify if the existing shop and services are constructed to the edge of the boundary fence and thus peripheral surface channels cannot be constructed at the western side of the Site;
- (iv) standard details should be provided to indicate the sectional details of the proposed u-channel and the catchpit/sand trap;
- (v) please advise if any site formation/levelling works to be carried out under this application. Cross sections showing the existing and proposed ground levels of the captioned site with respect to the adjacent areas should be given;
- (vi) please confirm if any walls or hoarding are/to be erected or laid along the site boundary, adequate opening should be provided to intercept the existing overland flow passing through the Site. Please provide its details for comments;
- (vii) the development should neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc;
- (viii) there is no record of the existing manhole, please provide site photos to demonstrate its presence and existing condition. Please indicate clearly the full alignment of the discharge path from the Site all the way down to the ultimate discharge point (e.g. a well-established stream course/public drainage system);

The applicant may refer to the GeoInfo Map (<https://www.map.gov.hk/gm/>) to obtain records of nearby drainage pipes and manhole facilities. If the existing drainage facilities proposed to be included in the proposed development's drainage network are not recorded on the website, please provide relevant site photos to demonstrate its existence and existing condition; and

- (ix) the applicant should resolve any conflict/disagreements with relevant lot owner(s) and seek permission from the DLO/YL 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
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, 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 (Tai Tong Shan Road) of not less than 4.5m wide. Its permitted development intensity shall be determined under the First Schedule of the B(P)R, where no plot ratio/ gross floor area restriction has been stipulated in statutory plans/ approved planning applications;
 - (iii) if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the Building Authority (BA), they are unauthorized building works (UBWs) under the BO and should not be designated for any proposed use under the captioned application;
 - (iv) for UBWs erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with the prevailing enforcement policy against UBWs as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBWs on the Site under the BO;
 - (v) one structure is proposed in the application. Before any new building works (including containers/open shed as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the BA should be obtained, otherwise they are UBW under the BO. An Authorized Person should be appointed as the coordinator for the proposed building works in accordance with the BO;
 - (vi) any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings which 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.

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tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年06月24日星期三 0:12
收件者: tpbpd/PLAND
主旨: A/YL-TT/789 DD 117 Kiu Hing Road, Tai Tong
類別: Internet Email

Dear TPB Members,

624 Streamlined and approved 12 Jan 2024. The paper does not provide info retirees on GL.

Conditions not fulfilled so back again.

*"The applicant of the last planning permission is **the land owner** and the last tenant has terminated the shop without notice so that he cannot comply with the remaining approval conditions imposed to the last planning permission."*

This is certainly not a valid justification for a roll over as it is the land owner who is responsible for the installations. Moreover he is obviously the person responsible for illegal filling in of GL.

It is time that TPB members stop ignoring indications that there is no genuine focus on actual implementation.

Application should be rejected.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Tuesday, 12 December 2023 2:21 AM HKT
Subject: A/YL-TT/624 DD 117 Kiu Hing Road, Tai Tong

A/YL-TT/624

Lots 1202 S.C (Part) and 1202 S.D (Part) in D.D. 117 and Adjoining Government Land, Kiu Hing Road, Tai Tong

Site area: About 250sq.m Includes Government Land of about 30sq.m

Zoning: "VTD"

Applied use: Shop / 2 Vehicle Parking

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Dear TPB Members,

Objections, the site had a number of trees that provide a buffer from the noise and pollution near a large junction. Were any trees chopped down on Government Land?

Mary Mulvihill