

Previous Application covering the Application Site

Rejected Application

	Application No.	Applied Use(s)/Development(s)	Zoning(s)	Date of Consideration (RNTPC)	Rejection Reasons
1	A/YL-LFS/32	Temporary Open Storage of Used Motor Cycles for a Period of 12 Months	CDA	25.9.1998	1,2

Rejection Reasons:

1. Insufficient information to demonstrate that the development would not have adverse traffic and drainage impacts.
2. Setting an undesirable precedent.

**Similar Application within the Subject “Residential (Group E)” Zone
on the Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan**

Approved Application

	Application No.	Applied Use(s)/Development(s)	Date of Consideration (RNTPC)
1	A/YL-LFS/541	Proposed Temporary Shop and Services (Automated Home Showroom with Ancillary Facilities and Retail Shop of Accessories) for a Period of 3 Years	10.1.2025 [revoked on 3.8.2026]

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 application site (the Site) comprises Old Schedule Agricultural Lot 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.
- (c) The applicant should note his advisory comments at **Appendix IV**.

2. Traffic

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

- (a) She has no adverse comment on the application from traffic engineering perspective.
- (b) The applicant should note her advisory comments at **Appendix IV**.

(ii) 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**.

(iii) Comments of the Commissioner of Police (C of P):

- (a) He has no comment on the application.
- (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, since no heavy vehicle or dusty operation would be involved and no residential dwelling is present within 100m from the boundary of the Site.
- (b) There is no substantiated environmental complaint pertaining to the Site in the past three years.
- (c) 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) She has no objection in principle to the application from the drainage perspective.
- (b) Should the Town Planning Board consider the application acceptable from the planning point of view, approval condition(s) should be stipulated requiring the applicant to submit a revised drainage proposal and to implement and maintain the proposed drainage facilities to her satisfaction.
- (c) The applicant should note her advisory comments 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 application subject to fire service installations (FSIs) and water supplies for firefighting being provided to his satisfaction.
- (b) The applicant should note his advisory comments at **Appendix IV**.

6. **Project Interface**

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

- (a) 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 the Planning Department and CEDD.
- (b) The applicant should note his advisory comments at **Appendix IV**.

7. **District Officer's Comments**

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

His office has not received any feedback from the locals.

8. **Other Departments' Comments**

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

- (a) Head of Geotechnical Engineering Office (H(GEO)), CEDD;
- (b) Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD);
- (c) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);

- (d) Director of Agriculture, Fisheries and Conservation (DAFC); and
- (e) Commissioner of Police (C of P).

Recommended Advisory Clauses

- (a) the planning permission is given to the development/use under application. It does not condone any other development/use (i.e. open storage of construction machinery and containers) which currently exists on the Site but not covered by the application. Immediate action should be taken to discontinue such development/use not covered by the permission;
- (b) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that 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 application site (the Site), if any. The application(s) for STW(s) 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, 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;
- (c) 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;
- (d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
 - (i) the access road from Deep Bay Road to the Site is not maintained by HyD and HyD will not take up the maintenance responsibility of the access; and
 - (ii) 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 Director of Environmental Protection (DEP) that the applicant is advised:
 - (i) to follow the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites";
 - (ii) 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 Authorised Person;
 - (iii) to provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the proposed use; and
 - (iv) to meet the statutory requirements under relevant environmental legislation;

- (f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) on the drainage proposal to be submitted that:
- (i) the applicant(s) should advise whether any site formation/levelling works will be carried out under the application. Cross-sections showing the existing and proposed ground levels of the Site with respect to the adjacent areas should be provided;
 - (ii) the applicant(s) should confirm if any walls or hoarding are to be erected or laid along the site boundary. If so, adequate openings should be provided to intercept the existing overland flow passing through the Site. Their details should be provided for comment;
 - (iii) peripheral surface channels shall be provided along the site boundary at the existing ground level, not the revised level, to collect the surface runoff from the Site and to intercept overland flow from the adjacent land;
 - (iv) the applicant(s) should demonstrate with hydraulic calculations that the proposed drainage facilities are adequate to collect, convey and discharge the surface runoff from the Site and the overland flow intercepted from the adjacent land;
 - (v) the applicant(s) should check and ensure that the hydraulic capacity of the existing drainage facilities will not be adversely affected by the captioned development;
 - (vi) the applicant(s) should clearly indicate 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 or public drainage system);
 - (vii) the existing nullah/channel/watercourse to which the applicant proposes to discharge stormwater from the Site is not maintained by her office. The applicant(s) shall resolve any conflict/disagreement arising from discharging runoff from the Site to the proposed discharge point(s). If it is a local village drain, District Officer (Yuen Long) should be consulted. Moreover, the applicant(s) should ensure that this drainage system and the existing downstream drains/channels/streams have adequate capacity to convey the additional runoff from the Site. Regular maintenance should be carried out by the applicant(s) to avoid blockage of the system;
 - (viii) further to (vii) above, site photographs from different locations and perspectives should be provided to demonstrate the presence and existing condition of the proposed discharge path;
 - (ix) the gradient and size of the proposed U-channels should be shown on the drainage plan;
 - (x) the connection details at the discharge point should be provided and the relevant details (e.g. cover level, invert level and catchpit/watercourse bottom level) should be indicated on the drawing;
 - (xi) standard details should be provided to indicate the sectional details of the proposed U-channel and the catchpit/sand trap;
 - (xii) the proposal should indicate how runoff (the flow direction) within the Site will be discharged to the proposed U-channel. The flow direction in the proposed drainage system should be indicated;
 - (xiii) the cover level and invert level of the proposed U-channels, catchpits/sand traps should be drawn on the drainage plan;

- (xiv) sand trap(s) or similar provision should be provided at the terminal catchpit before the collected runoff is discharged to the public drainage facilities;
 - (xv) the development should neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas; and
 - (xvi) the applicant(s) should resolve any conflicts/disagreements with relevant lot owner(s) and seek permission from DLO/YL, LandsD for laying new drains/channels and/or modifying/upgrading existing ones in other private lots or on Government Land, where required, outside the Site;
- (g) 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 the Planning Department and CEDD. The implementation and land resumption/clearance programme of the Lau Fau Shan, Tsim Bei Tsui and Pak Nai Developments is currently being reviewed under the Investigation Study and subject to change. If the planning application is granted, notwithstanding the validity period of the planning permission, the applicant should be reminded that the Site may be resumed at any time during the planning approval period for potential development project and be advised not to carry out any substantial works therein;
- (h) to note the comments of the Head of Geotechnical Engineering Office (H(GEO)), CEDD that the Site is located at the toe of the existing slope feature No. 2SW-C/F22 (**Plan A-2**). As the stability of this feature is uncertain and it could affect or be affected by the proposed development, the applicant is recommended to set up a 5m no-build zone from the toe of the feature No. 2SW-C/F22 within which no structure should be located or erected;
- (i) to note the comments of the Director of Fire Services (D of FS) on the fire service installations (FSIs) proposal to be submitted that:
- (i) in consideration of the design/nature of the proposal, FSIs are anticipated to be required. The applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to the Fire Services Department for approval;
 - (ii) the layout plans should be drawn to scale and depicted with dimensions and the nature of occupancy;
 - (iii) the location of the proposed FSIs to be installed should be clearly marked on the layout plans; and
 - (iv) the applicant is reminded that if the proposed structures are required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire safety requirements will be formulated upon receipt of the formal submission of general building plans;
- (j) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) it is noted that two structures 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 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 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 proposed use under the application;
 - (v) for UBW erected on leased land, enforcement action may be taken by 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;
 - (vii) the 7m high structures are considered excessive. They should be justified upon formal plan submission to BD; and
 - (viii) detailed checking under the BO will be carried out at building plan submission stage; and
- (k) to note the comments of the Commissioner of Police that the applicant must provide sufficient precaution and maintain the smooth traffic flow and road safety of the concerned location.

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy

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tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年07月23日星期四 0:54
收件者: tpbpd/PLAND
主旨: A/YL-LFS/620 DD 129, Lau Fau Shan
類別: Internet Email

A/YL-LFS/620
Lot 1699 (Part) in D.D. 129, Lau Fau Shan
Site area: About 510sq.m
Zoning: "Res (Group E)"
Applied use: Shop and Services / 1 Vehicle Parking

Dear TPB Members,

Despite the absence of any history of approvals, this business has been operating for some time so the application is to legitimize it.

No indication as to fulfilling the conditions but as it is an existing business then these should already be fulfilled?

Members questions please.

Mary Mulvihill