

Previous s.16 Applications Covering the Application Site

Approved Applications

<u>Application No.</u>	<u>Zoning(s) (at the time of approval)</u>	<u>Development/Use</u>	<u>Date of Consideration</u>
A/YL-PS/672	“R(E)2” & “V”	Proposed Temporary Shops and Services for a Period of 3 Years	3.3.2023
A/YL-PS/674	“R(E)2”	Proposed Temporary Shops and Services for a Period of 3 Years	3.3.2023
A/YL-PS/728	“R(E)2” & “V”	Proposed Temporary Shops and Services for a Period of 3 Years	20.9.2024 (Revoked on 20.3.2026)

Rejected Application

<u>Application No.</u>	<u>Zoning(s) (at the time of approval)</u>	<u>Development/Use</u>	<u>Date of Consideration</u>	<u>Rejection Reasons</u>
A/YL-PS/256	“R(E)2” & “V”	Temporary Public Vehicle Park for Private Car, Light Goods Vehicle and Lorry for a Period of 3 Years	1.12.2006	(1) and (2)

Rejection Reasons

- (1) Incompatible with adjacent residential structures
- (2) Insufficient information to demonstrate that the development would not impose adverse environmental, traffic and drainage impacts on the surrounding areas

Government Departments' General Comments

1. Land Administration

Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

- no adverse comment on the application; and
- the application site (the Site) comprises an Old Schedule Agricultural Lot 618 in D.D. 122 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.

2. Traffic

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

No adverse comment on the application.

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

No adverse comment on the application.

3. Environment

Comments of the Director of Environmental Protection (DEP):

No objection to the application.

4. Drainage

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

- no in-principle objection to the proposed development from a drainage point of view;
- should the application be approved, approval condition should be stipulated requiring the applicant to implement and maintain the drainage facilities under the accepted drainage proposal to his satisfaction or the Town Planning Board; and
- the applicant should note his advisory comments at **Appendix IV**.

5. **Fire Safety**

Comments of the Director of Fire Services:

- no in-principle objection to the application subject to fire service installations being provided to his satisfaction; and
- the applicant should note his advisory comments at **Appendix IV**.

6. **Building Matters**

Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- no objection to the application; and
- it is noted that six structures are proposed in the application. 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 Buildings Authority should be obtained, otherwise they are Unauthorised Building Works. An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with Buildings Ordinance.

7. **District Officer's Comments**

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

No feedback from locals was received.

8. **Other Departments**

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

- Director of Electrical and Mechanical Services (DEMS);
- Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD); and
- Chief Engineer/Construction, Water Supplies Department (CE/C, WSD).

Recommended Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the development on the application site (the Site);
- (b) should the applicant fail to comply with any of the approval conditions again resulting in revocation of the planning permission, sympathetic consideration would 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 the lot owner(s) shall apply to his office for a Short Term Waivers (STW) to permit structure(s) erected at the private lot. The application for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The STW, 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 (C for T) that:
 - (i) sufficient manoeuvring space shall be provided within the Site. No vehicles are allowed to queue back to public roads or reverse onto/from public roads; and
 - (ii) the local track and footpath leading to the Site is 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;
- (f) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains. The access road connecting the Site with Ping Hing Lane is not and will not be maintained by his office. His office should not be responsible for maintaining any access connecting the Site with Ping Hing Lane;
- (g) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - the applicant should implement the drainage facilities on site in accordance with the agreed drainage proposal;
 - the applicant is required to rectify the drainage system if it is found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify against, all claims and demands rising out of damage or nuisance caused by a failure of the drainage system;

- the applied use must neither obstruct overland flow nor adversely affected any existing natural streams, village drains, ditches and the adjacent areas; and
 - the applicant shall resolve any conflict or disagreement with relevant lot owner(s) and seek LandsD's permission for laying new drains or channels and/or modifying or upgrading existing ones in other private lots or on Government land (where required) outside the Site;
- (h) 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 the Environmental Protection Department to minimise any potential nuisance;
- (i) to note the comments of the Director of Fire Services that:
- (i) the applicant should note the following comments regarding the submitted fire service installations (FSIs) proposal:
 - (a) for enclosed structure with gross floor area not exceeding 230m², wheeled type dry chemical fire extinguisher, stand-alone fire detector, emergency lighting and directional & exit signs shall be provided;
 - (b) In relation to item (a) above, if two or more stand-alone fire detectors are installed in an enclosed structure, all detectors shall be interconnected (either wired or wirelessly) such that when one of the detectors is triggered, all connected detectors shall sound an alarm simultaneously;
 - (c) stand-alone fire detectors shall be provided in accordance with the "Stand-alone Fire Detector General Guidelines on Purchase, Installation & Maintenance [Sep 2021]"; and
 - (d) emergency lighting, directional and exit signs are considered as self-upgrades and are not mandatory requirements of Fire Services Department; and
 - (ii) the applicant is reminded that 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; and
- (j) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department 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 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 the building plan submission stage;

- (iii) if the existing structure is erected on leased land without the approval of the Building Authority, they are unauthorized building works (UBW) under the BO and should not be designated for any proposed use under the application;
- (iv) for UBW erected on leased land, enforcement action may be taken by the Buildings Department 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 Buildings Ordinance (BO);
- (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 B(P)R; and
- (vi) detailed checking under BO will be carried out at the building plan submission stage.

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

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年07月19日星期日 22:49
收件者: tpbpd/PLAND
主旨: A/YL-PS/785 DD 122 Ping Shan
類別: Internet Email

Dear TPB Members,

728 was streamlined no questions asked. TPB members failed in their duty to follow up on objection and request an aerial view of the site.

Of course conditions not fulfilled and revoked 20 Mar 2026.

But mo man tai because this is Hong Kong where rules and regulations mean nothing unless one is operating a small book shop.

That both Drainage and Fire Services installations are still just diagrams underlines the fact that this operator has no intention of fulfilling conditions.

If the planning systems guidelines were adhered to this application would be rejected.

But operators know that it is all greenwash and business as usual in NT.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Wednesday, 28 August 2024 2:26 AM HKT
Subject: A/YL-PS/728 DD 122 Ping Shan

A/YL-PS/728

Lot 618 (Part) in D.D. 122, Ping Shan, Yuen Long

Site area: About 1,700sq.m

Zoning: "Res (Group E)2" and "VTD"

Applied use: Shop and Services / 5 Vehicle Parking

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Dear TPB Members,

Strong Objections. This is an amalgamation of two approved applications 672 and 674, March 2023, for which conditions have not been fulfilled.

The sites are being used for Open Storage not shops.

Members should request aerial images of the sites. Open Storage is not permissible on the zonings, particularly "V" zone.

The applications should be rejected.

Mary Mulvihill