

Previous s.16 Applications Covering the Application Site

Approved Application

<u>Application No.</u>	<u>Development(s)/ Use(s)</u>	<u>Date of Consideration (RNTPC)</u>
A/TM-LTY Y/482	Temporary Vehicle Repair Workshop with Ancillary Office for a Period of 3 Years	2.5.2025 [Revoked on 2.2.2026]

Rejected Applications

<u>Application No.</u>	<u>Development(s)/ Use(s)</u>	<u>Date of Consideration (RNTPC)</u>	<u>Rejected Reasons</u>
A/TM-LTY Y/304	Proposed Temporary Industrial Use (Food Processing Factory) for a Period of 3 Years	12.8.2016	(1) to (3)
A/TM-LTY Y/364	Proposed House and Minor Relaxation of Plot Ratio and Building Height Restrictions	1.2.2019	(4)

Rejection Reasons

- (1) No strong planning justification for a departure from the planning intention(s).
- (2) Adverse water quality and traffic impacts.
- (3) Setting of an undesirable precedent.
- (4) No strong planning justification for proposed minor relaxation.

Government Departments' General Comments

1. Traffic

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

- No adverse comment on the application from traffic engineering viewpoint.
- Advisory comments as detailed in **Appendix IV**.

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

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

2. Environment

Comments of the Director of Environmental Protection (DEP):

- No objection to the application from environmental planning perspective.
- No environmental complaint pertaining to the application site (the Site) were received in the past three years.
- Advisory comments as detailed in **Appendix IV**.

3. Drainage

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

- No objection to the application from the public drainage viewpoint.
- Should the application be approved, a condition should be included to request the applicant to submit and implement a revised drainage proposal for the Site to ensure that it will not cause adverse drainage impact to the adjacent areas. The applicant could make reference to DSD Technical Note No.1 - Technical Note to prepare a "Drainage Submission".
- Advisory comments as detailed in **Appendix IV**.

4. Fire Safety

Comments of the Director of Fire Services (D of FS):

- No objection in principle to the application subject to fire service installations being provided to the satisfaction of the D of FS.

- Advisory comments as detailed in **Appendix IV**.

5. Building Matters

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

- No objection to the application.
- There is no record of approval by the Building Authority for any structures at the Site.
- Advisory comments as detailed in **Appendix IV**.

6. District Officer's Comments

Comment of the District Officer (Tuen Mun), Home Affairs Department (DO(TM), HAD):

His office has not received any public comment on the application.

7. Other Departments

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

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

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/Tuen Mun, Lands Department (DLO/TM, LandsD) that:
 - (i) the Site comprises Old Schedule Agricultural Lots 1150 S.B and 1150 RP in D.D.130 (“the 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 and Government land (GL);
 - (ii) the Lots were divided from Lot 1150 RP in D.D.130 on 5.11.2020 by Memorial No. 20111201650013 registered in Land Registry. Prior to the above division, Short Term Waiver No. 560 (“the existing STW”) had been issued to Lot 1150 RP in D.D. 130 for the purpose of metalware manufactory. The STW may be terminated by giving three months prior notice;
 - (iii) his site inspection conducted in April 2026 revealed that a structure erected on Lot 1150 S.B in D.D. 130 was found for suspected domestic use. The Lots owner should immediately rectify the lease breaches. His office reiterated that any unauthorised structures used for domestic purpose would not be regularised by LandsD according to the prevailing land policy;
 - (iv) the Site is accessible via a local access on GL leading from Wong Kong Wai Road. His office does not carry out maintenance works for the said GL nor guarantee that any right-of-way to the Site will be given. The applicant shall be responsible for his own access arrangement;
 - (v) notwithstanding that planning permission may be given by the Town Planning Board, there is no guarantee that the existing STW will be allowed to continue till the expiry date of the planning permission. If necessary, the Government may terminate the subject STW subject to such terms and conditions as may be necessary and appropriate; and
 - (vi) the Lots owner shall apply to his office for a cancellation-and-re-issue of the STW (“The Application”) to permit the structures erected within the Lots. The Application will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The Application, if approved, will be subject to such terms and conditions including the payment of waiver fee and administrative fee as considered appropriate by LandsD. In addition, LandsD reserves the right to take enforcement action against the Lots owner/applicant for any breach of the lease conditions, including the breaches already in existence or to be detected at any point of time in future and land control action for any unlawful occupation of GL. Besides, given the applied use is temporary in nature, only application for erection of temporary structure(s) will be considered;

- (d) to note the comments of the Commissioner for Transport (C for T) that:
 - (i) as the local access road between the Site and Wong Kong Wai Road is not a public road or footpath managed by the Transport Department (TD), comments from relevant authorities and local stakeholders should be sought;
 - (ii) the vehicles entering the Site may route through the local access road falling within a private lot. As that location is not a public road or footpath managed by TD, any right-of-way of the Site is not guaranteed. The applicant is required to seek comment from the lot owners and relevant stakeholders for granting permission to access to the Site; and
 - (iii) sufficient vehicle manoeuvring space should be reserved within the Site. The applicant should ensure that no queuing and/or waiting of motor vehicles from the Site onto the local access road and Wong Kong Wai Road would occur and no motor vehicles shall be permitted to reverse into and out of the Site onto the local access road and Wong Kong Wai Road;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, HyD (CHE/NTW, HyD) that:
 - (i) adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains; and
 - (ii) HyD shall not be responsible for the maintenance of any access connecting between the Site and Wong Kong Wai Road;
- (f) to note the comments of the Director of Environmental Protection (DEP) that the applicant is advised to observe and follow the environmental measures in the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' and comply with relevant environmental protection and pollution control ordinances;
- (g) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) the Drainage Reserve Area (DRA) (**Plan A-2**) is required for the existing box culvert. No structure or support for any structure should be erected on DRA without written consent of DSD. Such Drainage Reserve Area is essential in order to ensure that there is free and unrestricted access at all times for construction, repairs and maintenance;
 - (ii) the applicant is required to maintain his drainage facilities/system properly and rectify them if they are found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify claims and demands arising out of any damage and/or nuisance caused by failure of his facilities/system;
 - (iii) the applicant should construct and maintain the proposed drainage facilities whether within or outside the subject lots at his own expense;
 - (iv) the Site is in an area where public sewerage connection is not available.

Environmental Protection Department (EPD) should be consulted regarding sewage treatment/disposal facilities for the proposed development; and

- (v) regarding the submitted drainage proposal, he has the following general comments:
- (i) the applicant should be advised that the limited desk-top checking by Government on the drainage proposal covers only the fundamental aspects of the drainage design which will by no means relieve his obligations to ensure that (i) the proposed drainage works will not cause any adverse drainage or environmental impacts in the vicinity; and (ii) the proposed drainage works and the downstream drainage systems have the adequate capacity and are in good conditions to accommodate all discharge water collected from his lots and all upstream catchments. The applicant shall effect any subsequent upgrading of these proposed works and the downstream drainage systems whenever necessary;
 - (ii) the Site is within an area where connection to existing public stormwater drainage network is available in the vicinity (**Plan A-2**). The lots owner should be asked to verify the actual site conditions by sub-surface explorations. Should the applicant choose to connect his proposed drainage system to DSD's network, he shall furnish DSD with his connection proposal for agreement. After obtaining DSD's agreement, the applicant shall submit a duly completed Form HBP1 with a crossed cheque covering the technical audit fee and a plan showing the details of the proposed drainage connection works to his Division for formal application for the required connections. Upon his acceptance of the connection application, the applicant shall carry out the proposed connection works in accordance with DSD Standard Drawings at the resources of the applicant. The location of the terminal manhole shall be designed and constructed close to the lot boundary as far as practicable;
 - (iii) the applicant should check and ensure that the existing drainage system to which the proposed connection will be made have adequate capacity and satisfactory condition to cater for the additional discharge from the lots. He should also ensure that the flow from the lots will not overload the existing drainage system;
 - (iv) the development should neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas;
 - (v) the cover levels of proposed U-channels and catch pits should be flush with the adjoining ground level;
 - (vi) where structures (e.g. buildings, walls or hoarding or the like) are to be erected, adequate opening or drainage facilities should be provided to allow existing overland flow passing through the Site or to be intercepted by the drainage system of the concerned development;
 - (vii) the applicant should consult DLO/TM, LandsD and seek agreement from relevant owners for any drainage works to be carried out outside his lots

boundary before commencement of the drainage works;

- (viii) the proposed drainage works, whether within or outside the lots boundary, should be constructed and maintained by the applicant at his own expense;
 - (ix) the applicant should make good all the adjacent affected areas upon the completion of the drainage works;
 - (x) the proposed sand-trap/catchpit should be regularly desilted by the applicant to prevent sand and silt from being washed into the existing drainage system/channel at its downstream;
 - (xi) the applicant shall allow all time free access for the Government and its agent to conduct site inspection on his completed drainage works, if necessary; and
 - (xii) the applicant shall resolve any conflict/disagreement with relevant lot owner(s) and seek LandsD's permission for laying new sewers/drains/channels and/or modifying/upgrading existing ones in other private lot(s) or on GL (where required) outside the lot;
- (h) to note the comments of the Director of Fire Services (D of FS) that:
- (i) in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to FSD for approval. In addition, the applicant should also be advised as follows:
 - (i) the layout plans should be drawn to scale and depicted with dimensions and the nature of occupancy; and
 - (ii) the location of the proposed FSIs to be installed should be clearly marked on the layout plans; and
 - (ii) if the proposed structures 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; and
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) before any new building works are to be carried out on the Site, the prior approval and consent of the Building Authority (BA) should be obtained, otherwise they are unauthorised building works (UBWs). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - (ii) in connection with (i) above, 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) if the Site does not abut on a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of B(P)R at the building plan submission stage;
- (iv) if any existing structures are erected on leased land without approval of BD (not being a New Territories Exempted House), they are unauthorised under BO and should not be designated for any approved use under the application;
- (v) for UBWs erected on the leased land, including the existing structures under the application, enforcement action may be taken by the BA to effect their removal in accordance with BD's enforcement policy against UBWs as and when necessary. The grant of any planning approval should not be constructed as an acceptance of any existing building works or UBWs on the Site under BO; and
- (vi) detailed comments under BO to be provided during building plans submission.

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tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年05月12日星期二 0:15
收件者: tpbpd/PLAND
主旨: A/TM-LTY Y/513 DD 130 Wong Kong Wai Road
類別: Internet Email

A/TM-LTY Y/513

Lot 1150 RP in D.D. 130 and adjoining Government Land, Wong Kong Wai Road, Lam Tei, Tuen Mun

Site area: About 546.70m² Includes Government Land of about 3.31m²

Zoning: "Res (Group C)" and "Res (Group D)"

Applied Development: Vehicle Repair Workshop

Dear TPB Members,

364 was rejected in 2019 re MR for PR and BH.

However, the privately owned part of the site was developed into a workshop without securing planning approval.

482 approved 2 May 2025 and revoked 2 Feb 2026 for failure to fulfil Fire and Drainage conditions.

These are particularly important when it comes to vehicle repair as there have been many cases of fire at these premises and there is also the risk of contamination from leakage of fuel.

The application does not provide any concrete pledge to address the issues.

The application should be rejected.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Friday, 11 January 2019 2:54 AM HKT
Subject: A/TM-LTY Y/364 DD 130 Wong Kong Wai Road

A/TM-LTY Y/364

Lot 1150 RP in D.D. 130 and adjoining Government Land, Wong Kong Wai Road, Lam Tei, Tuen Mun

Site area : About 546.70m² Includes Government Land of about 142m²

Zoning : "Res (Group C)" and "Res (Group D)"

Applied Development : House / 2 Car Parking

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Dear TPB Members,

Strongly object to inclusion of 142sqmts of government land. 300sqmts for one home is more than adequate in a city where families are living in small divided rooms.

Government land with appropriate zoning should be devoted to providing essential homes not luxury premises and certainly not at grade parking.

The 142sqmts could provide 3 apartments of 700sqft that would house 3 families.

Mary Mulvihill