

**Similar s.16 Applications within the “Commercial/Residential” zone
in the vicinity of the Site on the Mai Po and Fairview Park OZP in the Past Five Years**

Approved Applications

No.	Application No.	Use(s)/Development(s)	Date of Consideration (RNTPC)
1.	A/YL-MP/366*	Temporary Vehicle Repair Workshop with Ancillary Office and Storage Use for a Period of 3 Years	24.5.2024 (Revoked on 24.11.2025)
2.	A/YL-MP/405	Temporary Vehicle Repair Workshop with Ancillary Office and Storage Use for a Period of 3 Years	17.4.2026

* denotes permission revoked

Government Departments' General Comments

1. Traffic

Comments of the Commissioner for Transport:

- no comment on the application from traffic engineering perspective; and
- advisory comments are detailed in **Appendix IV**.

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; and
- advisory comments are detailed in **Appendix IV**.

2. Drainage

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

- no in-principle objection to the application from the drainage perspective; and
- approval conditions requiring submission and implementation of a drainage proposal, and to maintain the existing drainage facilities at the application site (the Site) to the satisfaction of the Director of Drainage Services or of the Town Planning Board should be imposed.

3. Water

Comments of the Chief Engineer/Construction, Water Supplies Department;

- no in-principle objection to the application from the water supplies perspectives;
- advisory comments are detailed in **Appendix IV**.

4. Environment

Comments of the Director of Environmental Protection:

- considering the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites', it is noted that the applied uses would not involve traffic of heavy vehicle and dusty operations. There are residential premises within 100m from the boundary of the Site. Based on the above, he has no adverse comment on the application from environmental planning perspective;
- no environmental complaints relating to the Site were recorded in the past three years; and

- advisory comments are detailed in **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 on the Site; and
- advisory comments are detailed in **Appendix IV**.

6. **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 site photos taken in April and May 2026, the Site is generally formed and occupied by a temporary structure without any trees; and
- no distinctive landscape resources and/or mature trees were observed within the Site;

7. **Building Matters**

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

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

8. **Electrical Safety**

Comments of the Director of Electrical and Mechanical Services:

- no specific comment on the planning application from town gas safety aspect; and
- advisory comments are detailed in **Appendix IV**.

9. **Other Departments**

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

- Director of Agriculture, Fisheries and Conservation;
- Project Manager (West), Civil Engineering and Development Department;
- Chief Engineer/Railway Development 1-1, Railway Development Office, HyD;
- Commissioner of Police; and
- District Officer (Yuen Long), Home Affairs Department.

Recommended Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied uses at the application site (the Site);
- (b) to note the comments of the District Lands Officer/Yuen Long, Lands Department (LandsD) that the lot owner shall apply to his office for a Short Term Waiver (STW) and/or Short Term Tenancy (STT) to permit the structure(s) erected within the said private lot and the occupation of the Government land. The application(s) for STW/STT will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The application(s) for STW/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 applied uses are temporary in nature, only erection of temporary structure(s) will be considered;
- (c) to note the comments of the Commissioner for Transport that:
 - (i) the Site is connected to Fairview Park Boulevard which is not managed by the Transport Department and agreement from relevant management party for the right of way should be obtained; and
 - (ii) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) 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 Fairview Park Boulevard, including the local track if any; and
 - (ii) adequate drainage measures shall be provided to prevent surface water running from the application site to the nearby public roads and drains;
- (e) to note the comments of the Director of Environmental Protection (DEP) that:
 - (i) the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' shall be followed;
 - (ii) sewage discharge from the Site should be directed to nearby public sewer;
 - (iii) in case of unavailability of public sewer, proper sewage collection and treatment facilities should be provided in accordance with the requirements in Professional Persons Environmental Consultative Committee Practice Note 1/23 (ProPECC PN 1/23); and
 - (iv) existing septic tank system should be properly operated and maintained as per the ProPECC PN 1/23 throughout the operation of the applied uses;
- (f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (DSD) that:

- (i) the applicant shall be liable for any adverse drainage impact due to the proposed development;
 - (ii) to encourage a higher quality submission and avoid rounds of comments, thereby shortening the processing time, the applicant shall complete the checklist previously provided in preparing the revised drainage proposal and include the checklist in the submission. Otherwise, a longer processing time may be required;
- (g) to note the comments of the Chief Engineer/Construction, Water Supplies Department (WSD) that:
- (i) the cost of any necessary diversion of existing water mains which will be affected by the applied uses shall be borne by the applicants;
 - (ii) a waterworks reserve within 1.5 metres from the centre line of the water mains shall be provided to WSD in case it is not feasible to divert the affected water mains. No structure shall be built or no materials shall be stored within the waterworks reserve. Free access shall be made available at all time for staff of the Director of Water Supplies or their contractor to carry out construction, inspection, operation, maintenance and repair works;
 - (iii) no trees or shrubs with penetrating roots may be planted within the Waterworks Reserve or in the vicinity of the water main shown on the plan; and
 - (iv) the government shall not be liable to any damage whatsoever and howsoever caused arising from burst or leakage of the public water mains within and in close vicinity of the Site;
- (h) to note the comments of the Director of Fire Services that:
- (i) relevant layout plans incorporated with the proposed fire service installations (FSIs) to his department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where 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 (Cap. 123) (BO), detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans;
- (i) to note the comments of the Chief Building Surveyor/New Territories West, BD that:
- (i) before any new building works (including containers / open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on Site, prior approval and consent of the Building Authority (BA) should be obtained, otherwise they are unauthorized building works (UBW) under the Building Ordinance (BO). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - (ii) emergency vehicular access shall be provided for all the buildings to be erected on the Site in accordance with the requirement under the Regulation 41D of the Building (Planning) Regulations (B(P)R);

- (iii) the Site abuts on a specified street (Fairview Park Boulevard) 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;
 - (iv) if the existing structures 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 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 the BO;
 - (vi) any temporary shelters or converted containers for office, storage, washroom. or other uses considered as temporary buildings 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; and
- (j) to note the comments of the Director of Electrical and Mechanical Services that:
- (i) a high pressure underground town gas transmission pipeline and the Fairview Park Offtake Station is in vicinity of the Site. In the event of carrying out any excavation works at the Site, the Hong Kong and China Gas Company Limited should be liaised with in respect of the exact locations of existing or planned gas pipes / gas installations in the vicinity of the Site and any required minimum set back distance away from them during the design and construction stages of work; and
 - (ii) the requirements of the Electrical and Mechanical Services Department's Code of Practice on "Avoidance of Damage to Gas Pipes" 2nd Edition should be observed for reference. The Code can be downloaded via the following web-link:
[https://www.emsd.gov.hk/filemanager/en/content_286/CoP_gas_pipes_2nd_\(Eng\).pdf](https://www.emsd.gov.hk/filemanager/en/content_286/CoP_gas_pipes_2nd_(Eng).pdf)