

**Relevant Extract of the Town Planning Board Guidelines for
Application for Developments within Deep Bay Area
under Section 16 of the Town Planning Ordinance
(TPB PG-No. 12C)**

According to TPB PG-No. 12C, the Site falls within the Wetland Buffer Area (WBA). Extracts of land use concept and development guidelines are summarised as follows:

Wetland Buffer Area

- (a) The intention of the WBA is to protect the ecological integrity of the fish ponds and wetland within the Wetland Conservation Area (WCA) and prevent development that would have a negative off-site disturbance impact on the ecological value of fish ponds.
- (b) Within the WBA, for development or redevelopment which requires planning permission, an ecological impact assessment (EcoIA) would need to be submitted. Some local and minor uses (including temporary uses) are exempted from the requirement of EcoIA.

Appendix A

List of Uses Exempted from Ecological Impact Assessment within the Wetland Buffer Area

For planning applications involving uses/development within the Wetland Buffer Area, the following uses/development are exempted from the requirement of ecological impact assessment as part of the submission to the Board:

- Temporary Uses
- Agricultural Use (except in SSSI Zone)
- Ancestral Hall
- Bank#
- Barbecue Spot
- Barber Shop#
- Beauty Parlour#
- Burial Ground
- Clinic/Polyclinic*
- Electricity Substation of single storey
- Government Refuse Collection Point^
- House (Alteration, modification and/or redevelopment to the existing building bulk only)
- New Territories Exempted Houses
- Off-Course Betting centre#
- On-farm Domestic Structure
- Photographic Studio#
- Playground/Playing Field in “V” and “R(D)” zones
- Police Post/Police Reporting Centre
- Post Office*
- Private Club#
- Public Convenience
- Public Library*
- Public Utility Installation (electricity mast, lamp pole, pipeline and telephone booth only)^
- Pumping Station of single storey
- Refreshment Kiosk
- Retail Shop#
- School*
- Showroom excluding Motor-vehicle Showroom#
- Shrine
- Social Welfare Facility*
- Tent Camping Site

Note:

other than free-standing building

* other than free-standing building exceeding 3 storeys

^ not applicable to the “Other Specified Uses” annotated “Eco-lodge” zone on the Ma Tso Lung and Hoo Hok Wai Outline Zoning Plan

Previous s.16 Applications covering the Application Site

Approved Applications

No.	Application No.	Proposed Use(s)/Development(s)	Date of Consideration (RNTPC)
1.	A/YL-ST/36	Cross-border traffic service station (including canteen, container freight station, container repair workshop, office and services trades) for a period of 3 years	19.9.1997
2.	A/YL-ST/445*	Temporary cross-boundary traffic service station (including public car park, container freight station, container storage, container tractor/trailer park, vehicle repair workshop, office) with ancillary services trades (including handling in and out of container freight, arrival and departure of goods vehicles) and staff canteen for a period of 3 years	26.9.2014 (Revoked on 26.12.2015)
3.	A/YL-ST/559*	Temporary Shop and Services (Motor Vehicle Showroom) for a Period of 3 Years	15.11.2019 (Revoked on 15.2.2022)
4.	A/YL-ST/600*	Proposed Temporary Shop and Services for a Period of 3 Years and Associated Filling and Excavation of Land	24.12.2021 (Revoked on 24.9.2023)
5.	A/YL-ST/667*	Proposed Temporary Shop and Services (Motor Vehicle Showroom) and associated Filling and Excavation of Land for a Period of 3 Years	19.4.2024 (Revoked on 19.1.2026)

* denotes permission revoked

Rejected Applications

No.	Application No.	Proposed Use(s)/Development(s)	Date of Consideration (RNTPC)	Rejection Reason(s)
1.	A/YL-ST/192	Temporary cross boundary traffic service station (including car park, container freight station, container storage, container tractor/trailer park, tyres repair workshop, office and service trades) for a period of 3 years	15.3.2002	(1)
2.	A/YL-ST/262	Temporary cross-border traffic service station (including public car park, container tractor/trailer park, container freight station, container storage, tyre repair areas, ancillary site office and service trades) for a period of 3 years	14.5.2004	(1), (2)

Rejection Reasons:

- (1) Insufficient information to demonstrate that due regard had been given to minimize the adverse impacts of the development including drainage, traffic, sewerage, environment and ecology on the surroundings.
- (2) Not comply with the TPB Guidelines for “Application for Developments within Deep Bay Area”, and not in line with the TPB Guidelines for “Temporary Open Storage and Port Back-up Uses”.

Government Departments' General Comments

1. Traffic

Comments of the Commissioner for Transport:

- no objection to the application from traffic engineering perspective; and
- advisory comments are detailed in **Appendix V**.

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 V**.

2. Drainage

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

- no in-principle objection to the application from drainage operation and maintenance point of view;
- a revised drainage proposal should be submitted;
- after completion of the required drainage works, a set of record photographs showing the completed drainage works with corresponding photograph locations marked clearly on the approved drainage plan shall be provided to DSD for reference;
- all the proposed drainage facilities should be constructed and maintained by the applicant at his own cost. The applicant should ensure and keep all drainage works on the Site under proper maintenance at all times; and
- advisory comments are detailed in **Appendix V**.

3. Fire Safety

Comments of the Director of Fire Services:

- no in-principle objection to the application subject to fire service installations and water supplies for firefighting being provided to the satisfaction of the Director of Fire Services;
- a revised fire service installations proposal should be submitted; and
- advisory comments are detailed in **Appendix V**.

4. **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 aerial photo taken in March 2024, the Site was situated in an area of miscellaneous urban fringe landscape character comprising village houses, open storage sites/warehouses, temporary structures, major roads, scattered tree groups and a river channel. The applied use is considered not incompatible with the landscape setting in the proximity;
- with reference to the above-mentioned aerial photo and site photos taken in September 2026, the Site was formed. Temporary structures and open storage areas were observed within the Site. According to the Application Form, no tree felling will be involved; and
- in view of the above, significant adverse landscape impact arising from the applied use is not anticipated.

5. **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 V**.

6. **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 V**:

- Director of Agriculture, Fisheries and Conservation;
- Chief Engineer/Construction, Water Supplies Department;
- Project Manager (West), CEDD;
- Head of Geotechnical Engineering Office, CEDD;
- Commissioner of Police;
- Director of Electrical and Mechanical Services; and
- District Officer (Yuen Long), Home Affairs Department.

Recommended Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the application site (the Site);
- (b) the Site falls within the boundary of the San Tin Technopole (the Technopole) and the authorised scheme boundary of the Northern Link Spur Line. Majority of the Site has reverted to the Government on 26.9.2026, and the remaining portion is scheduled to revert to the Government on 25.12.2026. The applied use at the Site may be terminated at any time during the planning approval period for implementation of Government project;
- (c) to cease and clear the existing operations at the Site which fall within the land resumption area before commencement of the site formation and infrastructural works to be carried out by the Government;
- (d) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that majority of the Site falls within the “Resumption of Land for the Development of San Tin Technopole (Phase 1) at Yuen Long (Second Batch)”, in which the land has reverted to the Government on 26.9.2026. The remaining part of the Site falls within “Resumption of Land for the Development of San Tin Technopole (Phase 1) at Yuen Long (Third Batch)”, in which the Pre-Clearance Survey has been conducted and the land will revert to the Government on 25.12.2026. In this regard, DLO/YL, LandsD will not process either regularisation or new applications for short term waiver /short term tenancy for the Site;
- (e) to note the comments of the Project Manager (North), North Development Office, Civil Engineering and Development Department (CEDD) that the Site falls within the boundary of Phase 1 development of the Technopole. Under the latest programme, the concerned land is planned to be handed over from LandsD to CEDD in Q1 2027;
- (f) to note the comments of the Chief Engineer/Railway Development 1-1, Railway Development Office, Highways Department (HyD) that part of the Site will be directly in conflict with the planned Chau Tau Station of the Northern Link Spur Line, and will be required for the construction of the planned Chau Tau Station from 2027 onward;
- (g) to note the comments of the Commissioner for Transport that:
 - (i) sufficient manoeuvring space shall be provided within the Site or its adjacent area;
 - (ii) no vehicles are allowed to queue back to or reverse onto/from public road at any time during the planning approval period; and
 - (iii) the land near the Site is not under the Transport Department’s purview. The applicant shall obtain consent of the owners/managing department of the local track for using it as the vehicular access to the Site;
- (h) to note the comments of the Chief Highway Engineer/New Territories West, HyD that:
 - (i) HyD shall not be responsible for the maintenance of the proposed access connecting the Site (i.e. Tung Wing On Road and the local tracks); and

- (ii) adequate drainage measures shall be provided to prevent surface water running from the Site to nearby public roads and drains;
- (i) to note the comments of the Director of Environmental Protection (DEP) that:
 - (i) the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' shall be followed to minimise the potential nuisance to nearby sensitive receivers;
 - (ii) sewage discharge from the Site should be directed to nearby public sewer. In case of unavailability of public sewer, proper sewage collection, treatment and disposal facilities should be provided in accordance with the requirements in Professional Persons Environmental Consultative Committee Practice Note 1/23; and
 - (iii) the applicant shall strictly observe all relevant pollution control ordinances, particularly on waste management and disposal, and put in place necessary precautionary/pollution control measures to prevent any pollution/nuisance to nearby sensitive receivers as a result of the construction/operation activities;
- (j) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (DSD) that:
 - (i) a revised drainage proposal shall be submitted;
 - (ii) after completion of the required drainage works, a set of record photographs showing the completed drainage works with corresponding photograph locations marked clearly on the approved drainage plan shall be provided to DSD for reference. DSD will inspect the completed drainage works jointly with the applicant with reference to the set of photographs;
 - (iii) no public sewerage maintained by DSD is currently available for connection to the Site. For sewage disposal and treatment, agreement from DEP shall be obtained; and
 - (iv) all the proposed drainage facilities should be constructed and maintained by the applicant at his own cost. The applicant should ensure and keep all drainage works on site under proper maintenance at all times;
- (k) to note the comments of the Director of Fire Services that:
 - (i) relevant layout plans incorporated with the proposed fire service installations (FSIs) shall be submitted 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 (BO) (Cap. 123), detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans;

- (l) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department that:
- (i) it is noted that three structures and associated filling and excavation of land 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 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 captioned 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;
 - (vii) the 11.6m-high structures are considered excessive. It should be justified upon formal plan submission to Buildings Department; and
 - (viii) detailed checking under the BO will be carried out at building plan submission stage; and
- (m) to note the comments of the Director of Electrical and Mechanical Services that in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organising and supervising any activity near the underground cable or overhead line should approach the electricity supplier (i.e. CLP Power Hong Kong Limited) for the requisition of cable plans and overhead line alignment drawings, where applicable, to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. The applicant shall observe the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation when carrying out works in the vicinity of the electricity supply lines.

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tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年09月18日星期五 1:26
收件者: tpbpd/PLAND; clp_info
主旨: A/STT/41 DD 99 San Tin
類別: Internet Email

Dear TPB Members,

A/STT/41

Lots 733 S.F (Part), 741 (Part), 742 RP (Part) and 744 RP (Part) in D.D. 99 and Adjoining Government Land, San Tin

Site area: About 5,856sq.m Includes Government Land of about 315sq.m

Zoning: "Amenity Area", "Mixed Use" and area shown as "Road"

Applied use: Warehouse / Open Storage / 5 Vehicle Parking / **Filling and Excavation of Land**

Dear TPB Members,

Despite its history, 667 was rolled over and yet again conditions not fulfilled. Revoked 19 Jan 2026. In the mean time the zoning has been amended

So back with a reduced footprint and conflicting statements.

"The motor vehicle showroom ceased operation in 2025, leaving the Application Site vacant"

But

"CLP Power Hong Kong Limited (CLP) currently uses the Application Site for the storage of cables, wires, transformers and spare parts"

So CLP is using the site without having secured the necessary approval?

However, CLP IS NOT THE APPLICANT. The Applicant is the same Smart Union Motors (Asia) Company Limited represented by Top Bright Consultants Limited as 667.

"if it looks like a duck, swims like a duck, and quacks like a duck, then it probably is a duck"
Clearly this is yet another ploy to extend tenure without compliance with conditions.

There is absolutely no justification to approve this application. This is the type of contrivance that led to the Wang Fuk fire and can no longer be tolerated.

You have a duty to err on the side of the safety and security of the community.

Mary Mulvihill

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From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Tuesday, 26 March 2024 2:31 AM HKT
Subject: A/YL-ST/667 DD 99 San Tin

Dear TPB Members,

So once again conditions not fulfilled so applicant has filed a fresh application.

When will government depts and TPB members desist from encouraging rampant failure to fulfill important conditions like FIRE and DRAINAGE?

There are numerous media reports on serious fires at brownfield operations and this comes as no surprise when applications like this are rolled over not once but repeatedly.

Unfortunately the media reports do not provide Lot nos so that concerned citizens can check out the status of these operations.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Tuesday, 23 November 2021 3:43 AM HKT
Subject: A/YL-ST/600 DD 99 San Tin

A/YL-ST/600

Lots 733 S.F (Part), 737 RP (Part), 738 RP, 741 (Part), 742 RP (Part) and 744 RP (Part) in D.D. 99 and Adjoining Government Land, San Tin

Site area : About 7,858sq.m Includes Government Land of about 531sq.m

Zoning : "Other Specified Uses" annotated "Service Stations"

Applied use : Motor Vehicle Showroom / **Filling and Excavation of Land** / 10 Vehicle Parking

Dear TPB Members,

The Applicant is seeking to almost double the size of the approved application from 4,179m² to 'provide more choice of used vehicles'.

No mention that he has failed to fulfill the conditions of the previous application.

The 2015 application was revoked for non-compliance. Members must ask questions. Continuous failure to fulfill conditions should not be rewarded.

Mary Mulvihill