

Previous s.16 Applications Covering the Application Site

Rejected Applications

<u>Application No.</u>	<u>Zoning</u> (at the time of consideration)	<u>Use/Development</u>	<u>Date of Consideration</u>
A/YL-PS/660	“CDA”	Proposed Temporary Public Vehicle Park for Private Cars and Medium Goods Vehicles for a Period of 3 Years	29.7.2022 (Revoked on 29.1.2024)
A/YL-PS/708	“CDA”	Temporary Public Vehicle Park for Private Cars and Medium Goods Vehicles for a Period of 3 Years	19.7.2024 (Revoked on 19.1.2026)

Rejected Applications

<u>Application No.</u>	<u>Zoning</u> (at the time of consideration)	<u>Use/Development</u>	<u>Date of Consideration</u>	<u>Rejection Reason(s)</u>
A/YL-PS/33	“U”	Proposed Private Car/Rigid Lorry/Container Lorry Park and Open Storage of Unregistered Car for a Period of 4 Years	17.7.1998	(1) & (2)
A/YL-PS/79	“U”	Proposed Temporary Open Storage of Construction Materials for a Period of 3 Years	14.7.2000	(3) & (4)
A/YL-PS/85	“U”	Temporary Open Storage of Construction Materials for a Period of 3 Years	11.5.2001 (TPB)	(1), (3) & (4)
A/YL-PS/113	“U”	Temporary Open Storage of Building Materials and Construction Machinery for a Period of 3 Years	14.6.2002	(1)
A/YL-PS/182	“U”	Temporary Open Park of Left Hand Drive Private Cars and Light Goods Vehicles for a Period of 3 Years	11.6.2004	(1), (3) & (7)
A/YL-PS/642	“CDA”	Proposed Residential Development (Houses)	24.12.2021	(1), (5), (6)

Rejection Reasons

- (1) Insufficient information to demonstrate that no adverse traffic, drainage, sewerage, environmental and/or landscape impacts on the surrounding areas.
- (2) Setting of an undesirable precedent.
- (3) Not compatible with the surrounding land uses.
- (4) Insufficient information to demonstrate that adequate screening and mitigation measures would be implemented.
- (5) Insufficient information to demonstrate that due effort has been made to acquire the remaining portion of the Site and the comprehensiveness of the proposed development will not be adversely affected.
- (6) The development potential of the unacquired lots and individual lot owner’s land interest should not be adversely affected.
- (7) Not in line with the Town Planning Board Guidelines on “Open Storage and Port Back-up Uses”.

Similar Applications in the same “CDA” Zone in the past 5 years

Approved Application

<u>Application No.</u>	<u>Development/Use</u>	<u>Date of Consideration</u>
A/YL-PS/687	Temporary Public Vehicle Park for Private Cars, Medium Goods Vehicles and Coaches for a Period of 3 Years	14.7.2023 (Revoked on 14.1.2025)
A/YL-PS/716	Renewal of Planning Approval for Temporary Public Vehicle Park (excluding container vehicle) for a Period of 3 Years	7.6.2024
A/YL-PS/763	Temporary Public Vehicle Park for Private Cars, Medium Goods Vehicles and Coaches for a Period of 3 Years	24.10.2025

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 Old Schedule Agricultural 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.

2. Traffic

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

No adverse comment on the application.

3. Drainage

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

- no in-principle objection to the development from a drainage point of view;
- should the Town Planning Board consider the application acceptable, he would suggest conditions requiring the applicant to submit a revised drainage proposal, to implement and maintain the proposed drainage facilities to the satisfaction of DSD; and
- the applicant should note his advisory comments are at **Appendix V**.

4. Fire Safety

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

- (a) no objection in principle to the application subject to fire service installations (FSIs) proposal and water supplies for firefighting being provided to the satisfaction of the D of FS; and
- (b) regarding the submitted FSIs proposal, the applicant should note his advisory comments at **Appendix V**.

5. **Environment**

Comments of the Director of Environmental Protection (DEP):

No objection to the application.

6. **District Officer's Comments**

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

No feedback from locals was received.

7. **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 one structure is 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.

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) to resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (c) 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 Waiver (STW) to permit the structure(s) erected or to be erected within the private lots, The application(s) 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;
- (d) 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 ingress/egress to the Site is accessed through local road not managed by Transport Department and may need to pass through some private lots. The applicant shall liaise with the managing parties and owners concerned for the right of way. The ingress/egress to an adjoining car park is located within the Site. The applicant shall liaise with the owners concerned for maintaining their access;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (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) any access connecting the Site and Ping Ha Road 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 Ha Road;
- (f) 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” (COP) issued by the Environmental Protection Department to minimise any potential environmental nuisance;
- (g) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) the applicant should note the following comments regarding the submitted drainage proposal:

- (a) please refer to the latest Technical Note No.1 – Technical Note to Prepare a Drainage Submission issued by DSD for detailed guidance on preparing the drainage proposal;
- (b) please demonstrate with hydraulic calculations that the proposed drainage facilities are adequate to collect, convey, and discharge both the surface runoff generated within the application site and the overland flow from surrounding areas. In particular, please address the following:
 - i. The reserve capacity of the proposed drainage system should be at least 15%;
 - ii. SDM Corrigendum No. 1/2024 should be adopted. Please review the storm constants and ensure reference is made to the correct tables; and
 - iii. Please review the flow path distance (L) and indicate it clearly on the catchment plan;
- (c) please provide sufficient cross sections cutting through the entire application site and extending to adjacent areas for our review. These cross sections shall show both the existing and proposed ground levels of the application site relative to the adjacent lands;
- (d) please demonstrate that the existing village U-channel has adequate spare capacity to accommodate the increased runoff and will not be adversely affected by the proposed development. Additionally, please advise on the dimensions and invert levels of the existing village U-channel;
- (e) please provide the connection details at the discharge point and indicate specific levels (e.g., cover level, invert level, and catchpit / U-channel bottom level) on the drawing;
- (f) please indicate clearly the full alignment of the flow path from the application site all the way to the final discharge point (e.g., a well-established stream course or public drainage system);
- (g) the existing village U-channel, to which stormwater from the application site is proposed to be discharged, is not maintained by this Office. The applicant should resolve any conflicts or disagreements arising from for the discharging of runoff from the application site to the proposed final discharge point. Regular maintenance shall be carried out by the applicant to prevent any blockage;
- (h) further to item (g) above, since there is no record of the said discharge path, please provide site photos taken from different locations and angles to demonstrate its existence and current condition;
- (i) please confirm whether any walls or hoardings will be erected along the site boundary. If so, adequate openings should be provided to intercept the existing overland flow passing through the site. Please provide the relevant details for our comment;
- (j) the development should neither obstruct overland flow nor adversely affect

existing natural streams, village drains, ditches, or adjacent areas; and

- (k) the applicant shall resolve any conflicts or disagreements with the relevant lot owners and seek permission from the DLO/YL for laying new drains or channels and/or modifying or upgrading existing ones in other private lots or on Government Land outside the application site, where required;
- (h) to note the comments of the Director of Fire Services (D of FS) 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, portable fire extinguisher and stand-alone fire detector 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]”;
 - (d) a 20-35kg wheeled type dry chemical fire extinguisher shall be provided in every 500m² on every floor of the premises and ensure that every part of the premises can be reached from a distance of not more than 30m;
 - (e) provision of FSIs shall be demonstrated in form of FS Notes with all relevant standards and specifications; and
 - (f) all accessible areas on 1/F are GFA accountable. In this regard, detailed layout plans with FSIs shall be provided for our further consideration; 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
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) 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 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.

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tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年09月06日星期日 0:29
收件者: tpbpd/PLAND
主旨: A/YL-PS/793 DD 122 Ping Shan

Dear TPB Members,

708 approved 19 July 2024, revoked 19 Jan 2026 so back with a fresh application.

Another waste of time and resources as these applications are always approved.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Tuesday, 16 July 2024 2:29 AM HKT
Subject: Re: A/YL-PS/708 DD 122 Ping Shan

Dear TPB Members,

Commissioner for Transport asked a lot of questions but has neglected to address the core issue:
94 VEHICLES TAKING UP 6,000SQ.MTS.

60sq.mts per vehicle. Clear proof that the applicant is not providing data on its true intention.

Application is an insult to intelligence and should be rejected.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Tuesday, 19 March 2024 2:32 AM HKT
Subject: A/YL-PS/708 DD 122 Ping Shan

A/YL-PS/708

Lots 692 (Part), 693 (Part), 694 (Part), 695 (Part), 697 (Part), 698 (Part), 897 (Part), 898 (Part),
900 (Part), 901 (Part), 942 (Part), 943 (Part), 944 and 946 (Part) in D.D. 122, Ping Shan

Site area: About 6,000sq.m

Zoning: "Comprehensive Development Area"

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Applied use: 94 Vehicle Parking

Dear TPB Members,

660 approved 29 July 2022 but conditions not fulfilled so back with a fresh application.

This is supposed to be a parking lot. Members should question why simple conditions cannot be fulfilled in a short period and ask to see aerial shots of lot. 6,000sq.mts to park 94 smaller vehicles? This works out at 60sq.mts per vehicle. This indicates that the site is actually being used for container trucks, open storage or other brownfield activities.

Approving a fresh application is effectively allowing a further two years for operation to continue without addressing the issues.

Mary Mulvihill