

Previous Application covering the Application Site

Approved Application

	<u>Application No.</u>	<u>Proposed Use(s)</u>	<u>Date of Consideration (RNTPC)</u>
1	A/YL-TYST/1278	Proposed Temporary Shop and Services (Motor-vehicle Showroom) with Ancillary Facilities for a Period of 5 Years	6.12.2024 [revoked on 6.12.2025]

Similar Application within/straddling the same “V” Zone in the past 5 years

Approved Application

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC)</u>
1	A/YL-TYST/1129	Proposed Temporary Shop and Services for a Period of 3 Years	14.1.2022

Government Departments' General Comments

1. Traffic

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

No comment on the application from traffic engineering perspective.

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

No objection to the application.

2. Environment

Comments of the Director of Environmental Protection (DEP):

- no objection to the application; and
- no environmental complaint concerning the application site (the Site) was received in the past three years.

3. Drainage

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

- no in-principle objection to the application from the public drainage point of view provided that all existing drains/watercourse should be maintained and the overland flow from adjacent lands should not be affected;
- should the application be approved by the Town Planning Board (the Board), approval conditions requiring the submission, implementation and maintenance of a drainage proposal to the satisfaction of the Director of Drainage Services or of the Board should be stipulated; and
- the applicant should note his advisory comments at **Appendix V**.

4. Fire Safety

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

- 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 V**.

5. 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 four 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 the Building Authority should be obtained, otherwise they are unauthorized building works under the Buildings Ordinance (BO). An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO.

6. District Officer's Comments

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

His office has not received any feedback from locals.

7. Other Departments

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

- Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- Commissioner of Police (C of P); and
- Director of Electrical and Mechanical Services (DEMS).

Recommended Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at 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 Short Term Tenancy (STT) holder will need to apply to his office for modification of the STT conditions where appropriate and the lot owner(s) shall apply to his office for Short Term Waiver (STW) to permit the structure(s) erected within the said private lot(s). The application(s) for STW and STT will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The STW and 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 his department. Besides, given the applied 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 space should be provided within the Site for manoeuvring of vehicles. No parking, queuing and reverse movement of vehicles on public road are allowed; and
 - (ii) the proposed vehicular access connecting the application site to Castle Peak Road - Ping Shan should be designed and constructed according to Highways Department standard and Transport Planning and Design Manual requirements;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
 - (i) the run-in/out from Castle Peak Road – Ping Shan to the Site shall be constructed and maintained by the applicant. The run-in/out shall be removed and the public road shall be reinstated to the satisfaction of his department upon completion of use; and
 - (ii) adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (f) to note the comments of the Director of Environmental Protection (DEP) that:
 - (i) 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 his department should be followed to minimise any potential environmental nuisances on the surrounding areas;
 - (ii) no paint-spraying, car washing, dismantling and other workshop activities would be carried out at the Site, as committed by the applicant; and
 - (iii) adequate supporting infrastructure/facilities should be provided for proper collection, treatment and disposal of waste/wastewater generated from the proposed use. If septic tank and soakaway system will be used in case of unavailability of public sewer, its design and construction shall follow the requirements of Environmental Protection Department’s Practice Note for Professional Person (ProPECC) PN 1/23 “Drainage Plans subject to Comment by the Environmental Protection Department” including completion of percolation test and certification by Authorized Person;

- (g) 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. Relevant layout plans incorporated with the proposed FSIs should be submitted to his department for approval;
 - (ii) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy, and the location of proposed FSIs to be installed should be clearly marked on the layout plans; and
 - (iii) 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;
- (h) to note the general comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
- (i) all existing drains/watercourse should be maintained and the overland flow from adjacent lands should not be affected; and
 - (ii) for any change of existing ground level and associated works proposed by the applicant that could affect adjacent land and cause other impacts and/or other issues to public, please submit technical assessment(s) in other aspect(s) and seek comment from relevant departments as necessary; 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 building plan submission stage;
 - (iii) if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the Building Authority, they are unauthorised building works (UBW) under the BO and should not be designated for any proposed use under the captioned application;
 - (iv) for UBW erected on leased land, enforcement action may be taken by the BD 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;
 - (v) 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;
 - (vi) the 7m high structures are considered excessive. It should be justified upon formal plan submission to his department; and
 - (vii) detailed checking under the BO will be carried out at building plan submission stage.

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

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年09月20日星期日 23:20
收件者: tpbpd/PLAND
主旨: A/YL-TYST/1371 DD 121 Fu Sha Wai, Ping Shan
類別: Internet Email

A/YL-TYST/1371

Lots 87 S.C, 87 S.D, 91 S.D, 91 RP, 103 S.C RP (Part) and 104 RP in D.D. 121 and Adjoining Government Land, Fu Sha Wai, Ping Shan

Site area: About 2,050sq.m Includes Government Land of about 184sq.m

Zoning: "VTD"

Applied use: Motor-vehicle Showroom / 9 Vehicle Parking

Dear TPB Members,

1278 approved 6 Dec 2024 and revoked one year later as not a single condition had been fulfilled. Solution, back with an extended footprint.

The Applicant claims to be a new operator but registering a company in this jurisdiction is cheap and easy.

There is nothing concrete in the references to fulfilling conditions.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Tuesday, 13 August 2024 3:40 AM HKT
Subject: A/YL-TYST/1278 DD 121 Fu Sha Wai, Ping Shan

A/YL-TYST/1278

Lots 91 S.D (Part), 91 RP (Part), 103 S.C RP (Part) and 104 RP in D.D. 121 and Adjoining Government Land, Fu Sha Wai, Ping Shan

Site area: About 1,736sq.m Includes Government Land of about 168sq.m

Zoning: "VTD"

Applied use: Motor-vehicle Showroom / 6 Vehicle Parking / **5 Years**

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Dear TPB Members,

How come no history of approval when the site has obviously been used for brownfield for many years and there is Government Land included in the site?

The village looks very full, are there any sites free to meet the demand for village houses?

Why 5 years approval period when the regulations indicate a period of 3 years?

Mary Mulvihill