Government Bureau/Departments' General Comments

1. Traffic

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

She has no adverse comment on the application from traffic engineering perspective.

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

(a) He has no objection to the application from highways maintenance perspective.

(b) The applicant should note his advisory comments at **Appendix III**.

2. Environment

Comments of the Director of Environmental Protection (DEP):

(a) In view of the nature of the application site (the Site) and no significant environmental impact is anticipated, he has no objection to the planning application from environmental planning perspective.

(b) There is no substantiated environmental complaint pertaining to the Site in the past three years.

(c) The applicant should note his advisory comments at **Appendix III**.

3. Drainage

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

(a) She has no in-principle objection to the application from drainage point of view.

(b) Should the Town Planning Board (the Board) consider the application acceptable from planning point of view, approval conditions should be stipulated requiring the applicant to (i) submit a drainage proposal and (ii) implement and maintain the proposed drainage facilities to the satisfaction of the Director of Drainage Services or of the Board to ensure no adverse drainage impact will be caused to the adjacent area.

(c) The applicant should note her advisory comments at **Appendix III**.

4. Fire Safety

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

(a) He has no in-principle objection to the application subject to fire service installations and water supplies for firefighting being provided to his satisfaction.

(b) The applicant should note his advisory comments at **Appendix III**.

5. Building Matters

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

(a) As there is no record of approval granted by the Building Authority (BA) for the existing structures at the Site, he is not in a position to offer comments on their suitability for the use applied under the current application.

(b) It is noted that two structures and associated filling 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 the Site, prior approval and consent of the BA should be obtained, otherwise they are unauthorized building works under the Buildings Ordinance (BO). An Authorized Person should be appointed as the coordinator for the proposed building works in accordance with the BO.

(c) The applicant should note his advisory comments at **Appendix III**.

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 Bureau/Department's Comments

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

(a) Chief Heritage Executive (Antiquities & Monuments), Antiquities and Monuments Office, Development Bureau (CHE(AM), AMO, DEVB);
(b) Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
(c) Chief Engineer/Land Works (CE/LW), CEDD;
(d) Project Manager (West) (PM(W)), CEDD;
(e) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD); and
(f) Commissioner of Inland Revenue (C of IR).

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) failure to reinstate the Site as required under the relevant approval condition upon expiry of the planning permission might constitute an unauthorized development under the Town Planning Ordinance and be subject to enforcement and prosecution actions;

(d) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:

  (i) LandsD has reservation on the planning application since there is/are unauthorized structure(s) on Lots 68, 70 and 71 in D.D.135 which is/are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularisation on the lease breaches as demanded by LandsD; and

  (ii) the lot owner(s) shall apply to his office for Short Term Waiver(s) (STWs) to permit the structure(s) erected within the private lots. The application for STWs will be considered by the Government in its capacity as a landlord and there is no guarantee that they 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. Besides, given the applied use is of temporary nature, only erection of temporary structure(s) will be considered;

(e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that

  (i) the access road from Nim Wan Road to the Site is not maintained by HyD and HyD will not take up the maintenance responsibility of the access;

  (ii) if a run-in/out is required to facilitate the land filling works, the applicant shall be responsible for construction and maintenance of the run-in/out; and

  (iii) adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains;

(f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:

  (i) there are no details on site layout, site cross section and the information/condition of existing water course/drainage facilities provided in the application. As such, only preliminary comments are provided. It is assumed that the existing water course and drainage facilities remain unchanged and should not be affected/altered/ modified. Any earth filling of the watercourse, drainage diversion works or modification works is not allowed unless a drainage proposal is submitted and accepted;

(ii) the applicant/owner should have its own stormwater collection and discharge system to cater for the runoff generated within the Site and overland flow from the surroundings of the Site, e.g. surface channel of sufficient size along the perimeter of the Site; sufficient openings should be provided at the bottom of the boundary wall/fence to allow surface runoff to pass through the Site if any boundary wall/fence is to be erected. Any existing flow path affected should be re-provided; and

(iii) the applicant/owner should neither obstruct overland flow nor adversely affect the existing natural streams, village drains, ditches and the adjacent areas. The applicant/owner is also reminded that their drainage facilities shall be properly designed, constructed and maintained in good condition without causing adverse drainage impact to the adjacent area at all times, and they are required to rectify/modify the drainage systems if they are found to be inadequate or ineffective to accommodate the additional runoff arisen from the application. The applicant/owner shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure or ineffectiveness of the drainage systems caused by his/her application;

(g) to note the comments of the Director of Environmental Protection (DEP) that the applicant is reminded to observe relevant environmental protection and pollution control ordinances during works and to implement appropriate mitigation measures/practices as set out in the Recommended Pollution Control Clauses for Construction Contracts which are available at the following website: https://www.epd.gov.hk/epd/english/environmentinhk/eia_planning/guide_ref/rpc.html;

(h) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that the applicant should adopt appropriate measures to prevent disturbing the coastal habitats in the vicinity (e.g. water pollution, noise);

(i) 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. The applicant shall submit relevant layout plans incorporated with the proposed FSIs to his department for approval;

(ii) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy;

(iii) the location of the proposed FSIs to be installed should be clearly marked on the layout plans; and

(iv) if the proposed structure(s) 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;

(j) 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 are 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 applied use under the application;

(iv) for UBW erected on leased land, enforcement action may be taken by 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 are considered as temporary buildings and subject to the control of Part VII of the B(P)R; and

(vi) detailed checking under the BO will be carried out at building plan submission stage; and

(k) to note the comments of the Chief Heritage Executive (Antiquities & Monuments), Antiquities and Monuments Office, Development Bureau (CHE(AM), AMO, DEVB) that the Site is situated within the Long Jok Tsuen Site of Archaeological Interest. After reviewing the location and the proposed scope of works, the applicant is required to inform AMO when any antiquities or supposed antiquities under the Antiquities and Monuments Ordinance (Cap. 53) are discovered in the course of works.

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號 **Reference Number:**	260121-133554-12127
提交限期 **Deadline for submission:**	10/02/2026
提交日期及時間 **Date and time of submission:**	21/01/2026 13:35:54
有關的規劃申請編號 **The application no. to which the comment relates:**	A/YL-PN/89
「提意見人」姓名/名稱 **Name of person making this comment:**	先生 Mr. WONG Kam Sing

意見詳情
Details of the Comment :

尊敬的署長：

本人致函支持「下白泥教育中心」繼續營運。

「下白泥教育中心」透過生態導賞，推動環保教育，支持生態旅遊，助力鄉村振興，配合北部都會區的城鄉共融願景。

黃錦星 GBS, JP
2026年1月21日

tpbpd/PLAND

寄件者: [redacted]
寄件日期: 2026年02月10日星期二 2:49
收件者: tpbpd/PLAND
主旨: A/YL-PN/89 DD 135 Pak Nai CPA

類別: Internet Email

A/YL-PN/89
Lots 68 (Part), 70 (Part) and 71 (Part) in D.D. 135, Pak Nai, Yuen Long
Site area: About 686sq.m
Zoning: "Coastal Protection Area"
Applied development: Field Study, Education and Visitor Centre / **Filling of Land**

Dear TPB Members,

Application 83 for review withdrawn, but operator is intent on gaining approval for the operation.

In view of the previous history of the site and illegal activities, members have a duty to consider if this application is effectively a 'foot in the door' with a view to gradually relaunching the previous commercial activities.

Has the site been restored and the illegal structures removed since the 83 rejection?

If not, then there is no reason to reward the applicant.

Mary Mulvihill

From: [redacted]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Thursday, 28 August 2025 3:10 AM HKT
Subject: Re: A/YL-PN/83 DD 135 Pak Nai CPA

Dear TPB Members,

Rejected 13 Feb
Site partially paved and operated as hobby farm and restaurant without approvals /permits
Subject to lease enforcement action for unlawful occupation of GL

There is no justification to the review. Approval would effectively reward and encourage illegal operations.

Mary Mulvihill

□Urgent □Return receipt □Expand Group □Restricted □Prevent Copy □Confidential

From: [redacted]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Tuesday, 21 January 2025 3:07 AM HKT
Subject: A/YL-PN/83 DD 135 Pak Nai CPA

A/YL-PN/83

Lots 68 (Part), 69 (Part), 70 (Part) and 71 (Part) in D.D. 135, Pak Nai, Yuen Long

Site area: About 3,570sq.m

Zoning: "Coastal Protection Area"

Applied development: Field Study, Education and Visitor Centre / 5 Vehicle Parking

Dear TPB Members,

Strongest Objections. This is CPA but somehow the applicant has been allowed to fill in a substantial area, erect structures and open a restaurant without any record of approval despite the fact that such a development requires a submission and the requisite approvals.

Ha Pak Nai Education Center Ltd was registered in March 2021 so it cannot be that the operation predates the OZP. There is no information available, at least in English, on its managment, experience in coastal environmental projects, etc.

CPA Planning Intention: *This zoning is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.*

This is a commercial development that fulfils none of the above requirements.

What enforcement action has been taken re the stripping of a large amount of natural vegetation from the site?

Application should be rejected. Development on sensitive coastal lots cannot be justified by pseudo environmental education greenwash.

Mary Mulvihill