Previous Applications Covering the Application Site

Approved Application

	Application No.	Development(s)/Use(s)	Date of Consideration (RNTPC)
1	A/YL-TT/301	Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	20.4.2012 [Revoked on 20.7.2014]
2	A/YL-TT/343	Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	16.1.2015
3	A/YL-TT/418	Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	12.1.2018
4	A/YL-TT/517	Temporary Shop and Services for a Period of 3 Years	26.3.2021
5	A/YL-TT/656	Temporary Shop and Services and Public Vehicle Park for a Period of 3 Years	16.8.2024 [revoked on 16.5.2025]

Rejected Application

	Application No.	Development(s)/Use(s)	Date of Consideration (RNTPC)	Rejection Reason(s)
1	A/YL-TT/296	Temporary Vehicles Trading (Open Storage of Used Vehicles for Sale with Ancillary Office) for a Period of 3 Years	6.1.2012	(1), (2), (3), (4)

Rejection Reasons

(1) No strong planning justification for a departure from the planning intention.

(2) Not in line with TPB PG- No.13E.

(3) No information to demonstrate why suitable sites within these "Open Storage" zones could not be made available for the applied use.

(4) Setting an undesirable precedent.

Similar Applications within the Subject "Village Type Development" Zone on the Tai Tong Outline Zoning Plan in the Past Five Years

Approved Applications

	Application No.	Development(s)/Use(s)	Date of Consideration (RNTPC)
1	A/YL-TT/533	Temporary Shop and Services for a Period of 3 Years	18.3.2022 [revoked on 18.12.2023]
2	A/YL-TT/547	Temporary Shop and Services for a Period of 3 Years	12.8.2022 [lapsed on 12.8.2025]
3	A/YL-TT/557	Renewal of Planning Approval for Temporary Shop and Services (Local Provision Store with Ancillary Storage Area and Real Estate Agency) for a Period of 3 Years	29.7.2022 [lapsed on 29.7.2025]
4	A/YL-TT/602	Temporary Shop and Services for a Period of 5 Years	11.9.2023
5	A/YL-TT/657	Temporary Shop and Services and Public Vehicle Park for a Period of 3 Years	14.3.2025
6	A/YL-TT/662	Temporary Shop and Services with Ancillary Facilities for a Period of 5 Years	20.9.2024
7	A/YL-TT/709	Renewal of Planning Approval for Temporary Shop and Services for a Period of 3 Years	18.7.2025
8	A/YL-TT/711	Temporary Shop and Services for a Period of 3 Years	1.8.2025
9	A/YL-TT/750	Proposed Temporary Shop and Services for a Period of 3 Years	27.3.2026
10	A/YL-TT/792	Proposed Temporary Shop and Services, Eating Place and Public Vehicle Park (Private Cars Only) with Ancillary Electric Vehicle Charging Facilities and Office for a Period of 5 Years	25.9.2026

Government Departments' General Comments

1. Traffic

(a) Comments of the Commissioner for Transport:

- no adverse comment from traffic engineering perspective; and
- advisory comments as detailed in **Appendix IV**.

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

- no adverse comment on the application from highways maintenance perspective; and
- advisory comments as 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 public drainage point of view as the applicant would maintain the same drainage facilities as those implemented under previous planning application No. A/YL-TT/517;
- should the application be approved, conditions should be included to request the applicant to maintain the drainage facilities implemented under Application No. A/YL-TT/517 in good condition at all times during the planning approval period; and
- advisory comments as detailed in **Appendix IV**.

3. Fire Safety

Comments of the Director of Fire Services:

- no in-principle objection to the proposal subject to the fire service installations being provided to the application site (the Site);
- advisory comments as detailed in **Appendix IV**.

4. Environment

Comments of the Director of Environmental Protection:

- no objection to the application;
- no environmental complaint concerning the Site has been received in the past three years; and
- advisory comments as detailed in **Appendix IV**.

5. Building Matters

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

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

6. District Officer's Comments

Comment of the District Officer (Yuen Long), Home Affairs Department:

- no comment from departmental point of view; and
- his office has not received any comment from the village representatives in the vicinity of the Site.

7. Other Departments

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

- Chief Engineer/Construction, Water Supplies Department;
- Project Manager (West), Civil Engineering and Development Department;
- Director of Agriculture, Fisheries and Conservation;
- Director of Electrical and Mechanical Services; and
- Commissioner of Police.

Recommended Advisory Clauses

(a) to resolve any land issues relating to the development with the concerned owner(s) of the application site (the Site);

(b) prior planning permission should have been obtained before commencing the applied uses at the Site;

(c) should the applicant fail to comply with any of the approval conditions again resulting in the revocation of planning permission, sympathetic consideration may not be given to any further applications;

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

(i) the Site comprises Government Land (GL) and 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;

(ii) Lots 4892 S.A, 4892 RP and 4893 in D.D. 116 and a major portion of the GL in the Site are covered by Short Term Waivers (STW) Nos. 4338, 4340, 4341 and Short Term Tenancy (STT) No. 2910 respectively for the purpose of "Temporary Shop and Services (Real Estate Agency)";

(iii) his office has detected irregularities on the application that a minor portion of the GL within the Site (about $7m^2$) has been fenced off without any permission. Any occupation of GL without Government's prior approval is an offence under Cap. 28. LandsD reserves the rights to take necessary land control action against the unlawful occupation of GL without further notice; and

(iv) the STW and STT holder(s) will need to apply to LandsD for modification of the STW and STT conditions where appropriate. The application(s) for STW and STT will be considered by LandsD in its capacity as a landlord and there is no guarantee that such application(s) 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 LandsD. Besides, given the proposed uses are temporary in nature, only erection of temporary structure(s) will be considered;

(e) to note the comments of the Commissioner for Transport that 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;

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

(i) HyD should not be responsible for the maintenance of any access connecting the Site and Tai Tong Road;

(ii) if the proposed access on Tai Tong Road is approved by the Transport Department, the applicant should ensure a run-in/out is constructed in

accordance with the latest version of HyD Standard Drawings no. H1113 and H1114, or H5133, H5134 and H5135, whichever set if appropriate to match with the existing adjacent pavement; and

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

(g) to note the comments of the Director of Environmental Protection that:

(i) the applicant should 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" issued by Environmental Protection Department (EPD) to minimise any potential environmental nuisances on the surrounding area;

(ii) the applicant should implement appropriate pollution control measures outlined in the Professional Persons Environmental Consultative Committee Practice Notes (ProPECC PNs) 2/24 'Construction Site Drainage' to minimise any potential environmental impacts on nearby water bodies during the construction of the project; and

(iii) the applicant should provide adequate supporting infrastructure/ facilities 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 EPD's ProPECC PNs 1/23 "Drainage Plans subject to Comment by the Environmental Protection Department" including completion of percolation test and certification by Authorized Person;

(h) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department that 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;

(i) to note the comments of the Director of Fire Services that:

(i) for enclosed structure with gross floor area not exceeding 230 m^2, portable fire extinguisher and stand-alone fire detector shall be provided;

(ii) in relation to item (i) 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;

(iii) stand-alone fire detectors shall be provided in accordance with the "Stand-alone Fire Detector General Guidelines on Purchase, Installation & Maintenance [Sep 2021]";

(iv) provision of fire service installations shall be demonstrated in form of FS Notes with all relevant standards and specifications; and

(v) 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;

(j) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, 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 the 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 buildings to be erected on the Site in accordance with the requirement under the Regulation 41D of the Building (Planning) Regulations (B(P)R) respectively;

(iii) the site abuts on a specified street (Tai Tong Road) of not less than 4.5m wide. Its permitted development intensity shall be determined under the First Schedule of the B(P)R at the building plan submission stage;

(iv) if the existing structure is erected on leased land without the approval of the BA, they are UBWs under the BO and should not be designated for any proposed use under the captioned application;

(v) for UBWs erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with the prevailing enforcement policy against UBWs as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBWs on the Site under the BO;

(vi) any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings which 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

(k) 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 under the mentioned document should approach the electricity supplier (i.e. CLP Power) 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. They should also be reminded to 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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主旨: A/YL-TT/768 DD 116 Tai Tong Road

類別: Internet Email

A/YL-TT/768

Lots 4891 RP (Part), 4892 S.A, 4892 RP (Part) and 4893 (Part) in D.D. 116 and Adjoining Government Land, Tai Tong Road, Yuen Long

Site area: About 502sq m Includes Government Land of about 52sq.

Zoning: "VTD"

Applied use: Shop and Services / 14 Public Vehicle Park

Dear TPB Members,

This operation and that on the adjoining lot have a history of failure to comply with conditions going back to 2011. This despite the fact that both have an element of GL included in their footprint.

If the conditions **ARE NOT ALREADY FULLY IMPLEMENTED** then members are in breach of their duty to promote the health, safety, convenience and general welfare of the community.

No wonder so many approvals are revoked when there is absolutely no pressure from both government depts and TPB to ensure that conditions are fulfilled in a timely manner.

The Wang Fuk fire disaster has brought the unacceptable level of tolerance towards compliance with regulations to the attention of the community so going forward the expectation is that a ONE STRIKE YOU'RE OUT' policy be implemented.

Mary Mulvihill