Previous s.16 Applications

Approved Applications

	Application No.	Uses/Developments	Date of Consideration
1.	A/NE-LYT/730	Proposed Temporary Recyclable Collection Centre with Ancillary Office for a Period of 3 Years	18.12.2020 [Revoked on 18.6.2021]
2.	A/NE-LYT/775	Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 5 Years	31.3.2023 [Revoked on 31.3.2024]
3.	A/NE-LYT/806	Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years and Associated Filling of Land	27.10.2023 [Revoked on 27.7.2025]

Rejected Applications

	Application No.	Uses/Developments	Date of Consideration	Rejection Reasons
1.	A/NE-LYT/444	Temporary Private Vehicle Park for Coaches with Ancillary Staff Rest Room and Storage of Repair Equipment for Coaches and Miscellaneous Items for a Period of 3 Years	17.2.2012 (on review)	R1 & R2
2.	A/NE-LYT/646	Temporary Open Storage of Recyclable Products and Ancillary Workshop for a Period of 3 Years	18.5.2018	R1, R3 to R5

Rejection Reasons

R1 The applied use was not in line with the planning intentions of the "Agriculture" ("AGR") and "Residential (Group C)" ("R(C)") which were primarily to retain and safeguard good agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes; and for low-rise, low-density residential developments respectively. There was no strong planning justification in the submission for a departure from such planning intentions, even on a temporary basis.

R2 The applicant had failed to demonstrate that the development would not generate adverse environmental and traffic impacts on the surrounding areas/

R3 The application did not comply with the Town Planning Board Guidelines for 'Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance' in that no previous approval had been granted at the Site and there were adverse departmental comments on the application.

R4 There was no information in the submission to demonstrate that the development would not cause adverse landscape, traffic and environmental impacts on the surrounding areas.

R5 The approval of the application would set an undesirable precedent for similar applications within the "AGR" and "R(C)" zones. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.

Similar s.16 Applications in the vicinity of the Site within/partly within the "Residential (Group C)" or "Agriculture" zones on the Approved Lung Yeuk Tau and Kwan Tei South OZP No. S/NE-LYT/19 in the Past Five Years

Approved Applications

	Application No.	Uses/ Development	Date of Consideration
1.	A/NE-LYT/767[1]	Temporary Shop and Services (Retail Shop for Building Materials and Metalwares) for a Period of 3 Years	9.9.2022
2.	A/NE-LYT/825	Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) and Shop and Services for a Period of 3 Years	20.9.2024
3.	A/NE-LYT/854[1]	Renewal of Planning Approval for Temporary Shop and Services (Retail Shop for Building Materials and Metalwares) for a Period of 3 Years	5.9.2025

Remarks

[1] Applications No. A/NE-LYT/767 and 854 involves the same site.

Government Departments' General Comments

1. Land Administration

Comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD):

- no objection to the application;
- the application site (the Site) comprises Lot 2141 RP in D.D. 83 held under New Grant No. 9118 for the purpose of agriculture only and no structures shall be erected on the lot. The remaining Lots in the Site (i.e. Lots 869 SE, 869 SP, 870 RP and 871 in D.D. 83) are 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. According to the plan attached to the planning application, the proposed vehicular access (ingress/egress) requires to pass through both Government land (GL) and private land. There is no right of access via the GL granted to the Site. Besides, for the access via private land, the applicant has to make his own arrangement;
- Lot 869 SE in D.D. 83 is covered by Modification of Tenancy No. 33669 for the purpose of watchman sheds;
- if the planning application is approved, the lot owners/applicant shall apply to his office for a Short Term Waiver (STW) to permit the proposed structures erected within the said private lots. The applications 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; and
- his advisory comments are at **Appendix V**.

2. Traffic

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

- no comment on the application from highways maintenance perspective; and
- his advisory comments are at **Appendix V**.

3. Environment

Comments of the Director of Environmental Protection (DEP):

- no objection to the planning application from environmental planning perspective, noting that no heavy vehicle nor dusty operation is involved;
- no comment on the proposed filling of land subject to implementation of relevant mitigation measures listed in the Recommended Pollution Control Clauses for Construction Contracts;
- there was no complaint case related to the Site in the past three years; and
- his advisory comments are at **Appendix V**.

4. Drainage

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

- no objection to the application from public drainage perspective 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, conditions should be stipulated in the approval letter requiring the applicant to submit a drainage proposal and to implement and maintain the proposed drainage facilities to the satisfaction of the Director of Drainage Services or of the Town Planning Board; and
- her advisory comments are at **Appendix V**.

5. **Fire Safety**

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

- no objection in principle to the proposal subject to fire service installations (FSIs) and water supplies for firefighting being provided to his satisfaction; and
- his advisory comments are at **Appendix V**.

6. Project Interface

Comments of the Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD);

- no adverse comment on the application from project interface perspective; and
- her advisory comments are at **Appendix V**.

7. Building Matters

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

- no objection to the application; and
- his advisory comments are at **Appendix V**.

8. Other Bureau/Departments

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

(a) Executive Secretary (Antiquities & Monuments), Antiquities and Monuments Office (ES(A&M), AMO);
(b) District Officer (North), Home Affairs Department (DO(N), HAD);
(c) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
(d) Director of Electrical & Mechanical Services (DEMS); and
(e) Commissioner of Police (C of P).

Recommended Advisory Clauses

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

(b) the permission is given to the development/use and structures under application. It does not condone any other development/uses and structures which currently occur on the Site but not covered by the application. Immediate action should be taken to discontinue such development/use and remove such structures not covered by the permission;

(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/North, Lands Department (DLO/N, LandsD) that:

  (i) the Site comprises Lot 2141 RP in D.D. 83 held under New Grant No. 9118 for the purpose of agriculture only and no structures shall be erected on the lot. The remaining Lots in the Site (i.e. Lots 869 SE, 869 SP, 870 RP and 871 in D.D. 83) are 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. According to the plan attached to the planning application, the proposed vehicular access (ingress/egress) requires to pass through both Government land (GL) and private land. There is no right of access via the GL granted to the Site. Besides, for the access via private land, the applicant has to make his own arrangement;

  (ii) Lot 869 SE in D.D. 83 is covered by Modification of Tenancy No. 33669 for the purpose of watchman sheds;

  (iii) if the planning application is approved, the lot owners/applicant shall apply to his office for a Short Term Waiver (STW) to permit the proposed structures erected within the said private lots. The applications 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; and

  (iv) the lot owners/applicant should comply with all the land filling requirements imposed by relevant Government departments;

(e) to note the comments of the Commissioner for Transport (C for T) that:

  (i) Dao Yang Road and Hai Wing Road is not managed by the Transport Department. The applicant should obtain consent from relevant land owners and maintenance authorities on using this road;

  (ii) no medium goods vehicles, heavy goods vehicles, or container vehicles are allowed to enter or exit the Site;

(iii) no vehicle is allowed to park on Dao Yang Road and Hai Wai Road at any time during the planning approval period; and

(iv) the vehicular access to and from the Site is restricted only to Sha Tau Kok Road – Lung Yeuk Tau via Dao Yang Road and Hai Wai Road

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

(i) HyD is not/shall not be responsible for the maintenance of any access connecting the Site and Sha Tau Kok Road – Lung Yeuk Tau. Presumably, the relevant departments will provide their comments, if any; and

(ii) adequate drainage measures should be provided to prevent surface water running from the application site to the nearby public roads and drains;

(g) to note the comments of the Director of Environmental Protection (DEP) that the applicant should (i) follow and meet the requirements of the latest 'Code of Practice on Handling Environmental Aspects of Temporary Uses & Open Storage Sites' ('COP'); (ii) implement relevant mitigation measures listed in the Recommended Pollution Control Clauses for Construction Contracts (https://www.epd.gov.hk/epd/english/environmentinhk/eia_planning/guide_ref/rpc.html) during land filling; and (iii) provide sewage treatment facilities as required under the Professional Persons Environmental Consultative Committee Practice Notes (ProPECC PN) 1/23 'Drainage Plans subject to Comment by the Environmental Protection Department' and are duly certified by an Authorized Person (AP) or employ licensed waste collector to regularly collect and properly dispose of the sewage collected in the proposed toilet;

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

(i) the applicant should construct and maintain the proposed drainage facilities whether within or outside the Site at his own expense. The drainage facilities should be rectified if they are found inadequate/ineffective during operation; 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, the applicant shall 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 (D of FS) that:

(i) in consideration of the design/nature of the proposal, fire services installations (FSIs) are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval. In addition, the applicant should also be advised on the following points:

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

- 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 (Cap. 123) (BO), detailed fire safety requirements will be formulated upon receipt of the formal submission of general building plans or upon referral from the relevant licensing authority;

(j) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that approval of the application does not imply approval of tree works such as pruning, transplanting and felling. The applicant is reminded to seek approval for any proposed tree works from relevant departments prior to commencement of the works;

(k) to note the comments of the Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD) that the Site is located within the proposed Ta Kwu Ling New Development Area (TKL NDA) (formerly known as the New Territories North New Town (NTN New Town) under the Planning and Engineering (P&E) Study for NTN New Town and Man Kam To. Based on the development proposal released in December 2024, and the Site falls outside the Priority Development Area of the TKL NDA. While the implementation programme of TKL NDA is being formulated under the P&E Study, the site formation works will likely commence soon after the completion of detailed design in next stage. The proposed use at the Site may need to be vacated for the site formation works; and

(l) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:

(i) before any new building works are to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained, otherwise they are unauthorised building works (UBWs) under BO. An AP 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) 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;

(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 the B(P)R;

(vi) the applicant's attention is drawn to the provision under Regulations 40 and 41 of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations in respect of disposal of foul water and surface water respectively; and

(vii) detailed comments under the BO will be provided at building plan submission stage.

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

參考編號 Reference Number:	261023-154005-53404
提交限期 Deadline for submission:	23/10/2026
提交日期及時間 Date and time of submission:	23/10/2026 15:40:05
有關的規劃申請編號 The application no. to which the comment relates:	A/NE-LYT/883
「提意見人」姓名/名稱 Name of person making this comment:	先生 Mr. 朱志堅

意見詳情
Details of the Comment :

該申請地點的去水渠道已長了多棵大樹及積聚大量垃圾，如申請方沒有清楚詳細的計劃清除該等大樹及垃圾，會增加附近地方的水浸風險。

另外，申請方的填土要求，如申請方未能清楚交代填土後的去水渠道設計，會增加附近土地的水浸風險。

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

2

tpbpd/PLAND

寄件者: [redacted]
寄件日期: 2026年10月20日星期二 16:58
收件者: tpbpd/PLAND
主旨: A/NE-LYT/883
附件: 883(1).jpg; 883(2).jpg; 城規會(反對經營汽車陳列室).pdf

類別: Internet Email

馬料水新寸村民反對以上的申請，詳情請看附件。

[redacted]

致城市規劃委員會秘書：
專人送遞或郵遞:香港北角渣華道 333 號北角政府合署 15 樓
傳真 : 2877 0245 或 2522 8426
電郵: tpbpd@pland.gov.hk

To : Secretary, Town Planning Board
By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong
By Fax : 2877 0245 or 2522 8426
By e-mail : tpbpd@pland.gov.hk

有關的規劃申請編號 **The application no. to which the comment relates**
A/NE-LYT/883

意見詳情 (如有需要，請另頁說明)
Details of the Comment (use separate sheet if necessary)

見附件

「提意見人」姓名/名稱 Name of person/company making this comment WAN Kam Kiu Dicks

簽署 Signature Dicks Wan 日期 Date 30.10.2016

[redacted]

附件

《城市規劃條例》規劃申請編號 ： A/NE-LYT/883
新界粉嶺龍躍頭馬料水新村丈量約份第 83 約多個地段
申請用途 ： 擬議臨時商店及服務行業連附屬設施及相關填土工程(為期三年)

本村收到上址的商店及服務行業申請，村民有反對聲音並提出以下意見：-

1. 該地段牽涉的面積範圍極廣，大約有 3565 平方米，而需要填土壤也有 1618 平方米。可是附近的農地每當遇到有雨水的日子，尤其是在雨季，會出現嚴重的水浸。基於渠塞的問題一直存在，亦未能處理好，倘若在上址進行填土工程，恐怕渠塞和水浸情況會變得一發不可收拾，影響村民的日常生活。

2. 在這麼大的範圍內經營汽車陳列室，相信到時會停泊不少陳列車輛，甚至為顧客提供洗車和汽車美容服務。而在這麼大面積內經營小型停車場也是卓卓有餘，怎不叫人擔心呢?由於陳列室位置比較偏遠，進場睇車或試車人士大多數會駕駛車輛前來參觀，而該場地在假日的人流和車輛變得相當熱鬧 。相應地凱榮路變相壤成人車爭路，大大提高潛在的危險性。

3. 上址極不適合經營汽車陳列室。試想想，運送汽車到陳列室必需要使用大型貨車，而凱榮路路面狹窄，容易產生車輛擠塞的情況出現。原因是這幾年本村的牌坊旁經營了非法停車場，大約有 30-40 個車位，引致本村車輛進出時有阻塞，車輛的流量令到本來達到飽和點的單線雙程路更不堪負荷了！凱榮路這條小道路本來只為方便本村居民出入之用，現在竟然成為商業用途以謀取暴利之用，最後衍生到交通擠塞和人生安全等問題卻要本村居民來承受，這樣是極不合理和公平的處理方法。再者，如兩車相遇，其中一架車便有機會駛上行人路，這情況對路人的人身安全造成極大的威脅。住在馬料水新村一帶的村民多數是老人，聽覺和視力比較差，行動緩慢，反應不及年輕人。如果車輛駛入行人路，他們跟本沒能力逃避，後果更不堪設想了。

4. 其實政府應該為村民的安全着想，做好土地規劃，不應該讓申請人在私家路上經營商業性質的生意。若果收到商業申請，應該先要通知所有路權人，畢竟當初道路是由路權人建造的，他們是受影響的一群，理應有知情權。如今凱榮路和道揚路的路面已經破爛不堪，下雨的時候地上便即時儲藏污水。這幾年政府卻不斷批准經營停車場和貨倉，這段路面已變相成為公路，處處廢氣，空氣質素差；日積月累所引致嚴重的路爛，政府未有進行任何維修工程，以改善村民的生活環境。

對於上述之項目申請，本村村民一致反對。

2026 年 10 月 20 日

3 to 4

1/3

致城市規劃委員會秘書：
專人送遞或郵遞:香港北角渣華道 333 號北角政府合署 15 樓
傳真 : 2877 0245 或 2522 8426
電郵: tpbpd@pland.gov.hk

To : Secretary, Town Planning Board
By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong
By Fax : 2877 0245 or 2522 8426
By e-mail : tpbpd@pland.gov.hk

有關的規劃申請編號 **The application no. to which the comment relates**
A/NE-LYT/883

意見詳情 (如有需要，請另頁說明)
Details of the Comment (use separate sheet if necessary)

請參閱意見書資料

「提意見人」姓名/名稱 Name of person/company making this comment _____

簽署 Signature _____ 日期 Date 22/10/2016.

粉嶺區鄉事會
FDRC

香港新界粉嶺區鄉事委員會
Hong Kong Fanling District Rural Committee

3
P.2/3

貴處檔號 ： TPB/A/NE-LYT-883

敬啟者：

粉嶺龍躍頭馬料水新村丈量約份第 83 約多個地段
擬議臨時商店及服務行業連附屬設施及相關填土工程（為期 3 年）
（申請編號：A/NE-LYT/883）

本會接獲馬料水村民對上述申請作出 **強烈反對**，原因是：

1) 申請地點是單程路，路狹窄，交通出入不便，已嚴重影響村民安全，引起不滿。
2) 申請地點周邊是民宅，不宜批出作申請用途。
3) 原該地段已存在有違法沒申請的停車場，大量車輛出入，導致單程村路繁忙，影響民生。

懇請　貴處審慎處理及希望理解村民的反對聲音，不宜批作申請用途。

此致
規劃署沙田、大埔
及北區規劃專員

粉嶺區鄉事委員會主席

李國鳳 敬上
（李國鳳）

2026 年 10 月 22 日

粉嶺區鄉事會
FDRC

香港新界粉嶺區鄉事委員會
Hong Kong Fanling District Rural Committee

4
P.3/3

貴處檔號 : TPB/A/NE-LYT-883

敬啟者:

粉嶺龍躍頭馬料水新村丈量約份第 83 約多個地段
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此致
規劃署沙田、大埔
及北區規劃專員

粉嶺區鄉事委員會首副主席

劉永安 敬上
（劉永安）

2026 年 10 月 22 日

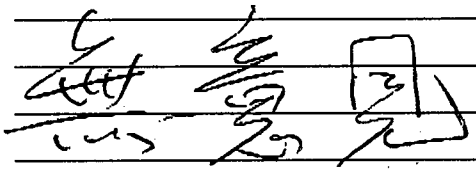
5

致城市規劃委員會秘書：
專人送遞或郵遞:香港北角渣華道 333 號北角政府合署 15 樓
傳真 : 2877 0245 或 2522 8426
電郵: tpbpd@pland.gov.hk

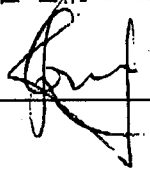
To : Secretary, Town Planning Board
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有關的規劃申請編號 The application no. to which the comment relates
A/NE-LYT/883

意見詳情 (如有需要，請另頁說明)
Details of the Comment (use separate sheet if necessary)



「提意見人」姓名/名稱 Name of person/company making this comment 侯志強議員

簽署 Signature  日期 Date 2026.10.5

致城市規劃委員會秘書：
專人送遞或郵遞:香港北角渣華道 333 號北角政府合署 15 樓
傳真 : 2877 0245 或 2522 8426
電郵: tpbpd@pland.gov.hk

To : Secretary, Town Planning Board
By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong
By Fax : 2877 0245 or 2522 8426
By e-mail : tpbpd@pland.gov.hk

有關的規劃申請編號 **The application no. to which the comment relates**
A/NE-LYT/883

意見詳情 (如有需要，請另頁說明)
Details of the Comment (use separate sheet if necessary)

沒有意見

「提意見人」姓名/名稱 Name of person/company making this comment _____

簽署 Signature _____ 日期 Date 13/10/2016