Previous Applications covering the Application Site

Rejected Application

	Application No.	Applied Use(s)/Development(s)	Date of Consideration (RNTPC)	Rejection Reasons
1	A/YL-LFS/524	Proposed Temporary Open Storage of Construction Materials for a Period of 3 Years	19.7.2024	(1) and (2)

Rejection Reasons:

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

2. Not in line with TPB PG-No. 13G.

Approved Application

	Application No.	Applied Use(s)/Development(s)	Date of Consideration (RNTPC)
1	A/YL-LFS/541	Proposed Temporary Shop and Services (Automated Home Showroom with Ancillary Facilities and Retail Shop of Accessories) for a Period of 3 Years	10.1.2025

Similar Application within the Subject "Residential (Group E)" Zone
on the Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan

Approved Application

	Application No.	Applied Use(s)/Development(s)	Date of Consideration (RNTPC)
1	A/YL-LFS/620	Proposed Temporary Shop and Services (Retail Shop for Hardware Accessories) with Ancillary Facilities for a Period of 3 Years	14.8.2026

Government Departments' General Comments

1. Land Administration

Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

(a) He has no adverse comment on the application.

(b) The application site (the Site) comprises Old Schedule Agricultural Lot 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.

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

2. Traffic

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

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

(b) The applicant should note her advisory comments at **Appendix IV**.

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

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

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

3. Environment

Comments of the Director of Environmental Protection (DEP):

(a) He has no objection to the application from environmental planning perspective, since the proposed use would not generate traffic of heavy vehicles nor involve dusty operation and no residential dwelling is present within 100m from the boundary of the Site.

(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 IV**.

4. Drainage

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

(a) She has no objection in principle to the application from public drainage perspective.

(b) Should the Town Planning Board (the Board) consider the application acceptable from the planning point of view, approval conditions should be stipulated requiring the applicant to (i) submit a revised drainage proposal and (ii) implement and maintain the proposed drainage facilities as indicated on the revised drainage proposal to the satisfaction of the Director of Drainage Services or of the Board.

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

5. Fire Safety

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

(a) He has no objection in principle 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 IV**.

6. Building Matters

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

(a) He has no objection to the application.

(b) It is noted that two 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 Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO.

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

7. Project Interface

Comments of the Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD):

(a) The Site falls within the study area of Lau Fau Shan Development under the Consultancy Agreement No. CE 5/2024 (CE) "Developments at Lau Fau Shan, Tsim Bei Tsui and Pak Nai Areas – Investigation", which is the Investigation Study and jointly commissioned by the Planning Department and CEDD.

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

8. District Officer's Comments

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

His office has not received any comment from the locals.

9. Other Departments' Comments

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

(a) Head of Geotechnical Engineering Office (H(GEO)), CEDD;

(b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);

(c) Director of Agriculture, Fisheries and Conservation (DAFC); and

(d) Director of Electrical and Mechanical Services (DEMS).

Recommended Advisory Clauses

(a) 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;

(b) the planning permission is given to the development/use under application. It does not condone any other development/use (i.e. storage of vehicles and containers) which currently exists on the application site (the Site) but not covered by the application. Immediate action should be taken to discontinue such development/use not covered by the permission;

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

  (i) the lot owner(s) shall apply to his office for Short Term Waiver(s) (STW(s)) to permit the structure(s) erected or to be erected within the application site (the Site), if any. The application(s) for STW(s) will be considered by the Government in its capacity as a landlord and there is no guarantee that it/they will be approved. The STW(s), 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

  (ii) it is noted that "employee resting area" is proposed in the application. The applicant is reminded that no STW application to permit structure for domestic purpose will be considered according to the prevailing policy. LandsD reserves the right to take enforcement action against such structure for domestic purpose at the Site, if any;

(d) to note the comments of the Commissioner for Transport that:

  (i) sufficient manoeuvring spaces shall be provided within the Site or its adjacent area. No vehicles are allowed to queue back to public roads or reverse onto/from public roads; and

  (ii) the local track leading to the Site is not under the Transport Department's purview. The applicant shall obtain consent of the owners/managing departments of the local track for using it as the vehicular access to the Site;

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

  (i) the current vehicular access from Deep Bay Road to the Site is not maintained by HyD and HyD will not take up the maintenance responsibility of the access; and

  (ii) 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 Director of Environmental Protection (DEP) that the applicant is advised to:

  (i) follow the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites';

  (ii) follow the relevant guidelines and requirements in relevant Professional Persons Environmental Consultative Committee Practice Notes (ProPECCPNs). 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 ProPECC PN 1/23 'Drainage Plans subject to Comment by the Environmental Protection Department' including completion of percolation test and certification by Authorised Person;

(iii) provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the proposed use; and

(iv) to meet the statutory requirements under relevant environmental legislation;

(g) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) on the submitted drainage plan that:

(i) the flow direction of the existing 600UC shown in the drainage plan is inconsistent with the ultimate discharge path;

(ii) the existing U-channel and streamcourse, into which the applicant proposes to discharge stormwater from the Site, are not maintained by her office. The applicant shall resolve any conflicts or disagreements arising from the discharge of runoff into the proposed discharge point. Furthermore, the applicant shall ensure that the proposed drainage system, as well as the existing downstream drains, channels and streams, have adequate capacity to convey the additional runoff from the Site. The applicant shall also carry out regular maintenance to prevent any blockage of the system;

(iii) further to item (ii) above, as there is no record of the aforementioned discharge path, the applicant should provide site photos taken from various locations and angles, spanning from the Site to the ultimate discharge point at Lau Fau Shan Road, to demonstrate its existence and current condition;

(iv) the proposed development shall neither obstruct overland flow nor adversely affect any existing natural streams, village drains, ditches or adjacent areas. Furthermore, the applicant shall rectify the drainage system if it is found to be inadequate or ineffective during operation;

(v) the applicant should consult DLO/YL, LandsD regarding any proposed works located on Government land, and obtain the necessary consent and agreement from the relevant private lot owners prior to the commencement of any works;

(vi) the applicant shall be liable for, and shall indemnify the Government against, any claims arising out of damage or nuisance caused by the inadequate construction or maintenance of the drainage facilities completed under the development; and

(vii) the cost of the drainage works, together with the responsibility for future maintenance, shall be borne by the applicant;

(h) to note the comments of the Director of Fire Services (D of FS) that:

(i) the submitted fire service installations (FSIs) proposal is considered acceptable by his department;

(ii) the applicant is advised to submit a full set of FS 251, incorporating all proposed FSIs, for further arrangement of the FSIs acceptance inspection; and

(iii) the applicant is reminded that if the proposed structures are required to comply with the

Buildings Ordinance (BO) (Cap. 123), detailed fire safety requirements will be formulated upon receipt of the formal submission of general building plans;

(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) for unauthorized building works (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;

(iv) any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings subject to the control of Part VII of the B(P)R; and

(v) detailed comments under the BO will be provided at building plan submission stage;

(j) to note the comments of the Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD) that the Site falls within the study area of Lau Fau Shan Development under the Consultancy Agreement No. CE 5/2024 (CE) "Developments at Lau Fau Shan, Tsim Bei Tsui and Pak Nai Areas - Investigation", which is the Investigation Study and jointly commissioned by the Planning Department and CEDD. The implementation and land resumption/clearance programme of the Lau Fau Shan, Tsim Bei Tsui and Pak Nai Developments is currently being reviewed under the Investigation Study and subject to change. If the planning application is granted, notwithstanding the validity period of the planning permission, the applicant should be reminded that the Site may be resumed at any time during the planning approval period for potential development project and be advised not to carry out any substantial works therein; and

(k) to note the comments of the Head of Geotechnical Engineering Office (H(GEO)), CEDD that should there be any proposed building works, the proposed building works should be submitted to BD for approval as required under the provisions of the BO.

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

tpbpd/PLAND

寄件者: [redacted]
寄件日期: 2026年10月29日星期四 0:43
收件者: tpbpd/PLAND
主旨: A/YL-LFS/634 DD 129 Lau Fau Shan

類別: Internet Email

Dear TPB Members,

541 approved 10 Jan 2025. Revoked 10 July 2026 for failure to deliver many condtions.

The operator is effectively saying that it is the govt depts that are holding up compliance.

"7. Regarding the requirements of the Lands Department, the applicant has submitted the necessary documentation for the Short Term Waiver and Short Term Tenancy; fulfillment of condition (e) is contingent upon the Fire Services Department's approval of condition (d)".

Members should question if this is indeed the case or merely an excuse for procrastination.

Mary Mulviill

From: [redacted]
To: "tpbpd" <tpbpd@pland.gov.hk>
Sent: Wednesday, December 18, 2024 3:16:54 AM
Subject: A/YL-LFS/541 DD 129 Lau Fau Shan

A/YL-LFS/541
Lots 2282 in D.D. 129, Lau Fau Shan
Site area: About 1,077sq.m
Zoning: "Res (Group E)"
Applied use: Shop and Services / 2 Vehicle Parking

Dear TPB Members,

524 was rejected so back with plan B, reduced footprint and a more 'benign' activity.

However, the plan shows a dozen containers, so storage of some kind.

The application should be rejected as the planning intention is to phase out brownfield operations.

Mary Mulvihill

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

From: [redacted]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Tuesday, 25 June 2024 12:35 AM HKT
Subject: A/YL-LFS/524 DD 129 Lau Fau Shan

A/YL-LFS/524

Lots 2282 and 2284 (Part) in D.D. 129, Lau Fau Shan

Site area: About 1,586sq.m

Zoning: "Res (Group E)"

Applied use: Open Storage of Construction Materials / 1 Vehicle Parking

Dear TPB Members,

Strong Objections. No history of approvals. The site is close to burial grounds and GB and not appropriate for this brownfield use.

Mary Mulvihill