Previous s.16 Applications involving the Application Site

Approved/Allowed Applications

No.	Application No.	Use(s)/Development(s)	Date of Consideration (RNTPC/TPAB)
1.	A/YL-NSW/92*	Proposed Temporary Public Car Park for Private Cars for a Period of 3 Years	8.3.2002 (RNTPC) [revoked on 8.6.2002]
2.	A/YL-NSW/122*	Temporary Public Car Park for Private Cars & open storage of building materials & sign board for a Period of 3 Years	7.3.2003 (RNTPC) [revoked on 7.9.2003]
3.	A/YL-NSW/152*	Temporary Public Car Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	14.7.2006 (TPAB upon appeal) [revoked on 14.10.2006]
4.	A/YL-NSW/304*	Temporary Shop and Services (Real Estate Agency) and Public Vehicle Park (Private Car) for a Period of 3 Years	25.11.2022 (RNTPC) [revoked on 25.5.2024]

* denotes permission revoked

Rejected Applications

No.	Application No.	Use(s)/Development(s)	Date of Consideration (RNTPC)	Rejection Reasons
1	A/DPA/YL-NSW/13	Residential Development	4.12.1992	(1) to (3)
2	A/DPA/YL-NSW/15	Residential Development	13.8.1993	(1), (4), (5)
3	A/YL-NSW/4	Proposed Convention Centre/Office Building	13.1.1995	(6) to (9)

Rejection Reasons

(1) The proposed central air-conditioning system as a traffic noise mitigation measure is not practicable.

(2) The proposed development, being located on an island site surrounded by roads, is not comprehensive enough to address its interrelationship with surrounding developments and the future planning of the area.

(3) The intensity of the proposed development is excessive.

(4) The application site, being an isolated site surrounded by existing and future roads, is not suitable for the proposed development.

(5) The proposed development will jeopardize the future planning of the area.

(6) The proposed development will constrain the future land use planning of the area the finalization of which will depend on the selected railway alignment yet to be confirmed.

(7) The proposed development will jeopardize the implementation of the Route 3 - Country Park Section project as a large portion of the application site falls within the works limit of this project.

(8) Being located close to a major traffic roundabout, the proposed development is not suitable as it will generate considerable amount of additional traffic.

(9) The proposed arrangement of using the vehicular access road from Castle Peak Road is not desirable from the traffic point of view.

Similar s.16 Applications within/straddling the "U" zone(s)
on the Nam Sang Wai Outline Zoning Plan in the Past Five Years

Approved Applications

No.	Application No.	Use(s)/Development(s)	Date of Consideration (RNTPC)
1.	A/YL-NSW/296*	Temporary Shop and Services (Sales of Hardware Accessories)	20.5.2022 [revoked on 20.11.2023]
2.	A/YL-NSW/306*	Temporary Vehicle Maintenance Workshop, Retail Shop for Car Components/Accessories and Convenience Store with Ancillary Uses for a Period of 3 Years	23.6.2023 [revoked on 23.12.2024]
3.	A/YL-NSW/315*	Proposed Temporary Eating Place and Shop and Services (Sales of Private Cars) for a Period of 3 Years	23.6.2023 [revoked on 23.12.2024]
4.	A/YL-NSW/320	Proposed Temporary Shop and Services (Convenience Store and Showroom), Eating Place and Storage Use for Traffic Information Technology System Facilities with Ancillary Site Office and Solar Panels for a Period of 3 Years	22.9.2023
5.	A/YL-NSW/325*	Proposed Temporary Shop and Services (Sales of Private Cars) for a Period of 3 Years	5.7.2024 [revoked on 5.1.2026]
6.	A/YL-NSW/331*	Temporary Shop and Services (Sales of Hardware Accessories) for a Period of 3 Years	28.3.2025 [revoked on 14.9.2026]
7	A/YL-NSW/339*	Proposed Temporary Eating Place and Shop and Services (Sales of Private Cars) for a Period of 3 Years	14.3.2025 [revoked on 14.9.2026]
8	A/YL-NSW/374	Renewal of Planning Approval for Temporary Shop and Services (Convenience Store and Showroom), Eating Place and Storage Use for Traffic Information Technology System Facilities with Ancillary Site Office and Solar Panels for a Period of 3 Years	11.9.2026

* denotes permission revoked

Government Bureau/Departments' General Comments

1. Electric Vehicle Charging Policy

Comments of the Secretary for Environment and Ecology:

- no adverse comment on the application from electric vehicle (EV) charging policy perspective;
- it is noted from the applicant's submission (**Appendix I**) that there are 19 parking spaces (with a dimension of 5m x 2.5m) equipped with EV charging facilities, while 14 of which are equipped with fast chargers that are capable to provide a minimum rated output power of 120kW to 250kW simultaneously and the remaining five parking spaces are equipped with medium-speed chargers that are capable to provide a minimum rated output power of 7kW to 11kW simultaneously. Such provision of EV charging facilities has fulfilled the basic requirement of providing EV chargers with output power of not less than 7kW in all parking spaces for private cars, light goods vehicles and motorcycles; and
- advisory comments as detailed in **Appendix IV**.

2. Land Administration

Comments of the District Lands Officer/Yuen Long, Lands Department:

- no adverse comment on the application;
- the application site (the Site) comprises Government Land (GL) and Lot No. 1510 and Extension RP in D.D. 115 held under New Grant No. YL2992 as varied and modified by an Extension Letter dated 31.10.1984 and modification letter dated 1.7.1986 for school purpose;
- no permission is given for occupation of GL (about 158m^2 as mentioned in the Application Form (**Appendix I**)) included in the Site. Any occupation of GL without Government's prior approval is an offence under Cap. 28; and
- advisory comments as detailed in **Appendix IV**.

3. Traffic

Comments of the Commissioner for Transport:

- no adverse comment on the application from traffic engineering perspective and considers the run-in/out proposal submitted by the applicant acceptable. An approval condition on the implementation of the proposal to the satisfaction of the Commissioner for Transport and Director of Highways or of the Town Planning Board (TPB) is recommended to be included in the planning permission should the application be approved; and
- advisory comments are in **Appendix IV**.

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

- no in-principle objection to the application from highway maintenance point of view and considers the run-in/out proposal submitted by the applicant acceptable. An approval condition on the implementation of the proposal to the satisfaction of the Commissioner for Transport and Director of Highways or of the TPB is recommended to be included in the planning permission should the application be approved; and

- advisory comments are in **Appendix IV**.

4. Drainage

Comments of the Chief Engineer/Mainland North, Drainage Services Department:

- no in-principle objection to the application from the drainage point of view;

- should the application be approved, approval condition(s) should be stipulated in the approval letter requiring the applicant to submit a drainage proposal, to implement and to maintain the proposed drainage facilities to the Director of Drainage Services's or the TPB's satisfaction; and

- advisory comments are at **Appendix IV**.

5. Fire Safety

Comments of the Director of Fire Services:

- no in-principle objection to the application subject to fire service installations and water supplies for firefighting being provided to his satisfaction; and

- advisory comments are at **Appendix IV**.

6. Environmental

Comments of the Director of Environmental Protection:

- no objection to the application from environmental planning perspective;

- there are residential buildings within 100m from the boundary of the Site;

- there were six substantiated environmental complaints received against the Site in the past three years which was concerned light nuisance from the commercial EV charging station at the Site and no violation of relevant environmental ordinances was spotted during inspections;

- advisory comments are at **Appendix IV**.

7. Landscape

Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department:

- no adverse comment on the application from landscape planning perspective; and

- with reference to the site photos (**Plan A-4**), the Site is formed without any trees. No distinctive landscape resources or mature trees are observed within the Site.

8. Building Matters

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

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

9. Electricity and Towngas Safety

Comments of the Director of Electrical and Mechanical Services:

- no comment from electricity supply safety and towngas safety aspects;
- there is a high pressure underground towngas transmission pipe in the vicinity of the Site; and
- advisory comments are at **Appendix IV**.

10. District Officer's Comments

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

- no comment on the application; and
- his office has not received comment from locals upon close of consultation.

11. Other Departments

The following government departments have no objection to or no comment on the application and their advisory comments, if any, are at **Appendix IV**:

- Director of Agriculture, Fisheries and Conservation;
- Project Manager/Major Works, HyD;
- Chief Engineer/Railway Development 1-1, HyD;
- Project Manager (West), Civil Engineering and Development Department (CEDD);
- Head of Geotechnical Engineering, CEDD;
- Chief Engineer/Construction, Water Supplies Department;
- Director of Food and Environmental Hygiene; and
- Commissioner of Police.

Recommended Advisory Clauses

(a) prior planning permission should have been obtained before commencing the proposed use at the application site (the Site);

(b) to note the comments of the Secretary for Environment and Ecology that:

- the Government announced the Green Transformation Roadmap of Public Buses and Taxis in December 2024, including measures to realise the target of introducing about 3,000 electric taxis by end-2027. A comprehensive fast charging network is needed to effectively support the operations of electric taxis and achieve the aforesaid target. In addition, the Government announced the Updated Version of the Hong Kong Roadmap on Popularisation of Electric Vehicles in February 2026, which states that the Government will leverage market forces in the future to build a public charging network with fast chargers as the backbone. In this connection, the applicant shall consider installing some fast chargers with a rated output power of 100kW or higher at the Site and open up a certain number of charging spaces for electric commercial vehicles for use, e.g. electric taxis, electric light goods vehicles;

- the applicant shall consider arranging some of the chargers to also be compatible with Guobiao charging standard to support southbound vehicles; and

- the applicant shall provide charger information, including the real-time availability data of each charger, through the government-designated mobile applications such as "HKeMobility" of the Transport Department (TD). For any queries, please contact the Environmental Protection Department's Electric Vehicle (EV) Hotline at 3757-6222 or email to ev@epd.gov.hk;

(c) to note the comments of the District Lands Officer/Yuen Long, Lands Department (LandsD) that if the planning application is approved, the lot owner shall apply to his office for a Short Term Waiver (STW) and a Short Term Tenancy (STT) to permit the structure(s) erected within the said private lots and the occupation of the Government land (GL). 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 LandsD. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered;

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

- the Site is connected to the public road network via a section of a local access road which is not managed by TD. The land status of the local access road should be checked with LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly;

- sufficient manoeuvring space shall be provided within the Site; and

- no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;

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

- the Site involves GL where is not under HyD's maintenance purview;
- the proposed access arrangement of the Site should be commented and approved by TD;
- HyD shall not be responsible for the maintenance of the proposed access connecting the Site and Siu Sheung Road, including the local track if any;
- if the proposed access at Siu Sheung Road is approved by TD, the applicant shall 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;
- the Site is close to the existing slopes and cover walkway structures under HyD's maintenance purview. No works/structures arising from the Site shall encroach upon and affect to the slopes and structures. Maintenance access to the slopes and the structures shall not be affected; and
- adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public road and drains;

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

- the applicant shall demonstrate in the drainage proposal that the proposed works will not obstruct the overland flow nor cause any adverse drainage impact to the adjacent areas;
- the applicant shall be liable for any adverse drainage impact due to the proposed works; and
- to encourage a higher quality submission and avoid rounds of comments, thereby shortening the processing time, the applicant shall complete the checklist previously provided in preparing the drainage proposal and include the checklist in the future submission of drainage proposal. Otherwise, a longer processing time may be required;

(g) to note the comments of the Director of Fire Services that the applicant shall submit relevant layout plans incorporated with the proposed fire service installations (FSIs) to the Fire Services Department (FSD) for approval. The layout plans should be drawn to scale and depicted with dimensions and the nature of occupancy. The location of the proposed FSIs to be installed should be clearly marked on the layout plans. If the proposed structures are required to comply with the Building Ordinance (BO) (Cap. 123), detailed fire safety requirements will be formulated upon receipt of the formal submission of general building plans;

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

- the applicant shall follow the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites';
- the applicant shall follow the relevant guidelines and requirements in relevant Professional Persons Environmental Consultative Committee Practice Notes (ProPECCPNs), in particular the ProPECCPN 1/23 "Drainage Plans subject to Comment by the Environmental Protection Department";

- the applicant shall provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the proposed use;

- the applicant shall observe the statutory requirements under relevant environmental legislation; and

- the applicant shall implement the light controlling measures including dimming the light intensity of the advertising board associated with the applied use, and turning it off after 8:00p.m.;

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

- it is noted that 10 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 (BA) shall be obtained, otherwise they are unauthorized building works (UBW) under the BO. An Authorized Person shall be appointed as the co-ordinator for the proposed building works in accordance with the BO;

- 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;

- 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 the building plan submission stage;

- 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 shall not be construed as an acceptance of any existing building works or UBW on the Site under the BO;

- 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; and

- detailed checking under the BO will be carried out at building plan submission stage;

(j) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that:

Electricity safety

- in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organising and supervising any underground activity near the underground cable of power company under the mentioned document shall approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. The applicant shall 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;

- electrical work on fixed electrical installation shall be conducted by the Registered Electrical Contractors and the Registered Electrical Workers with all the involved electrical work fully comply with the requirements stipulated under the Electricity Ordinance (Cap. 406) and its subsidiary regulations. Regarding EV charging system, the applicant shall follow the requirements stipulated under Code 26S of the 'Code of Practice for the Electricity (Wiring) Regulations' (2025 Edition);

Towngas safety

- the project proponent/works contractor shall liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of existing or planned gas pipes/gas installations in the vicinity of the proposed work areas and any required minimum set back distance away from them during the design and construction stages of work; and

- the applicant/consultant/works contractor shall observe the requirements of the Electrical and Mechanical Services Department's Code of Practice on 'Avoidance of Damage to Gas Pipes' (2nd Edition) for reference (https://www.emsd.gov.hk/filemanager/en/content_286/CoP_gas_pipes_2nd_(Eng).pdf); and

(k) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that:

- no Food and Environmental Hygiene Department's (FEHD's) facilities shall be affected;

- proper licence/permit issued by FEHD is required if there are any food businesses/catering services/activities regulated by DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation;

- in accordance with the Public Health and Municipal Services Ordinance (Cap. 132) and the Food Business Regulation (Cap. 132X), a food business licence shall be obtained for any premises intended to operate the relevant type of food business (e.g. restaurant, food factory, fresh provision shop, etc.) listed in the Regulation. The application for licence, if acceptable by FEHD, will be referred to relevant government departments such as BD, FSD and Planning Department for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance and the licence will be issued upon compliance of all the requirements;

- depending on the mode of operation, generally there are several types of food business licence/permits that the operator may apply for under the Food Business Regulation:

  (i) if food is sold to customers for consumption on the premises, a restaurant licence shall be obtained;

  (ii) if food is only prepared for sale for consumption off the premises, a food factory licence shall be obtained;

  (iii) if fresh, chilled or frozen beef, mutton, pork, reptiles (including live snake), fish (including live fish) and poultry is sold, a fresh provision shop licence shall be obtained; and

  (iv) if restricted foods like milk, frozen confections, non-bottled drinks, cut fruit etc. are to be sold, relevant restricted food permits shall be obtained;

- when choosing a premises for food business licence, the applicant must ensure that the operation of food business at the subject premises is in compliance with the requirements imposed under the legislation administered by FEHD, other government departments and the relevant authorities. No part of a food premises shall be located in, under or over any structures built without the approval and consent of the BA. Applicant shall satisfy FEHD that their premises applying for a food business licence be (i) free of unauthorised building works; (ii) in compliance with Government lease conditions; and (iii) in compliance with statutory plan restrictions, otherwise FEHD will not process the application for a licence further;

- proper licence issued by FEHD is required if related place of entertainment is involved. Any person who desires to keep or use any place of public entertainment (PPE), for example a theatre and cinema or a place, building, erection or structure, whether temporary or permanent, on one occasion or more, capable of accommodating the public presenting or carrying on public entertainment within the Places of Public Entertainment Ordinance (Cap. 172) and its subsidiary legislation, such as a concert, opera, ballet, stage performance or other musical, dramatic or theatrical entertainment, cinematograph or laser projection display, a circus, a lecture or storytelling, an exhibition of any one or more of the following, namely, pictures, photographs, books, manuscripts or other documents or other things, a sporting exhibition or contest, a bazaar, a dance party or an amusement ride and mechanical device which is designed for amusement, a PPE Licence (or Temporary PPE Licence) shall be obtained from FEHD whatever the general public is admitted with or without payment;

- there shall be no encroachment on the public place and no environmental nuisance shall be generated to the surroundings. Its state shall not be a nuisance or injurious or dangerous to health and surrounding environment. Also, for any waste generated from such activities/ operation, the applicant shall arrange disposal properly at their own expenses; and

- the applicant shall conduct, by all practical means, pest control measures to avoid infestation of pest including mosquitos and rodents at the Site and its surroundings.