

**Government Departments' General Comments**

**1. 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 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. No permission is given for occupation of GL (about 740m<sup>2</sup> subject to verification) included in the Site. Any occupation of GL without Government's prior approval is an offence under Land (Miscellaneous Provisions) Ordinance (Cap. 28).

**2. Drainage**

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

- no in-principle objection to the application from drainage point of view; and
- a condition should be stipulated requiring the applicant to submit a drainage proposal, to implement and maintain the proposed drainage facilities to his satisfaction.

**3. Fire Safety**

Comments of the Director of Fire Services:

- no in-principle objection to the application subject to the fire service installations (FSIs) and water supplies for firefighting being provided on the Site; and
- in consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicant is required to submit relevant layout plans incorporated with the proposed FSIs to his department for approval.

**4. Environment**

Comments of the Director of Environmental Protection:

- no objection to the application; and
- there was no environmental complaint pertaining to the Site received in the past three years.

**5. Building Matters**

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

- no objection to the application; and

- no record of approval granted by the Building Authority for the existing structures.

## **6. Long-term Development**

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

- the Site falls within the boundary of Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA). To ensure timely and orderly implementation, the development of HSK/HT NDA and relevant site formation and infrastructure works would be implemented in three phases, viz. First Phase development, Second Phase development and Remaining Phase development. The lots concerned fall within the site under Remaining Phase Development of HSK/HT NDA. The implementation programme and land resumption/clearance programme of the Remaining Phase Development of HSK/HT NDA is currently being reviewed and subject to change; and
- if the application is granted, notwithstanding the validity period, the applicant should note his advisory comments at **Appendix III**.

(b) Comments of the Director of Leisure and Cultural Services:

- no in-principle objection to the application; and
- he has no plan to develop the Site into any recreation or sports facilities in the upcoming three years.

## **7. District Officer's Comments**

Comments 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 locals on the application.

## **8. Landscape**

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

- according to the aerial photo taken in 2025, the Site is situated in an area of miscellaneous rural fringe landscapes characterised by temporary structures, farmland, village houses and tree clusters;
- with reference to the site photos taken in January 2026, the Site is formed and some temporary structures are found. No tree felling is involved as stated in the Application Form;
- however, as observed in the aerial photo in 2025, the southern portion (mainly GL) of the Site was previously covered with dense tree groups. However, as observed from

the site photos in January 2026, tree removal on such portion is observed prior to the course of application;

- the applicant has submitted a Landscape Proposal (**Drawing A-3**), proposing seven new trees along the southern periphery of the Site to mitigate the landscape impact of the proposed use. It is considered that even with the implementation of the Landscape Proposal, the landscape character of the area would have been altered or further affected;
- to provide an effective planting buffer to mitigate the landscape impact of the proposed use, especially on the village houses to the southeast of the Site, more tree plantings should be proposed; and
- should the application be approved, the following approval conditions are suggested:
  - (a) the submission of a revised Landscape Proposal within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board; and
  - (b) the implementation of the revised Landscape Proposal within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board.

## 9. **Other Departments**

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

- Commissioner for Transport;
- Chief Highway Engineer/New Territories West, Highways Department;
- Chief Engineer/Construction, Water Supplies Department; 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) the planning permission is given to the development/use under application. It does not condone any other development/use (i.e. open storage of construction materials and machineries) which currently exists on 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 the lot owner(s) should apply to his office for Short Term Waivers (STWs) and Short Term Tenancies (STTs) to permit the structures erected within the said private lots and the occupation of the Government Land. The application for STWs and STTs 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/rent and administrative fee as considered appropriate by LandsD. Besides, given the proposed use is temporary in nature, only erection of temporary structures will be considered;
- (d) to note the comments of the Commissioner for Transport that:
- 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
  - the local track leading to the Site is not under TD'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:
- the access road from Sik Kong Wai Road to the Site is not maintained by HyD and HyD will not take up the maintenance responsibility of the access. Road sections under HyD's maintenance jurisdiction is shown on **Plan A-2**. If a run-in/out is required for the Site, the applicant should be responsible for construction and maintenance of run-in/out; and
  - 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 that:
- 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 surrounding 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 are to be erected. Any existing flow path affected should be re-provided. 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 should be reminded that his drainage facilities should be properly designed, constructed and maintained in good condition without causing adverse drainage impact to the adjacent area at all times, and the applicant/owner

is 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 should also be liable for and should indemnify claims and demands arising out of damage or nuisance caused by failure or ineffectiveness of the drainage systems caused by his application. There is 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; and

- the cost and work of drainage as well as future maintenance responsibility should be borne by the applicant(s);
- (g) to note the comments of the Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD) that the Site falls within the boundary of Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA). To ensure timely and orderly implementation, the development of HSK/HT NDA and relevant site formation and infrastructure works would be implemented in three phases, viz. First Phase development, Second Phase development and Remaining Phase development. The lots concerned fall within the site under Remaining Phase Development of HSK/HT NDA. The implementation programme and land resumption/clearance programme of the Remaining Phase Development of HSK/HT NDA is currently being reviewed and subject to change. The applicant should be reminded that the Site may be resumed at any time during the planning approval period for potential development project and advised not to carry out any substantial works therein;
- (h) to note the the comments of the Director of Fire Services that:
- the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy and the location of the proposed fire service installations to be installed should be clearly marked on the layout plans; and
  - if the proposed structures are 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;
- (i) to note the comments of the Director of Environmental Protection that the applicant is advised to follow the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” in order to minimise the potential environmental nuisance on the surrounding area;
- (j) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department that:
- 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 4.5 m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage;
  - if the existing structures are erected on leased land without the approval of the Building Authority (BA), they are unauthorized building works (UBW) under the BO and should

not be designated for any proposed use under the application;

- for UBW erected on leased land, enforcement action may be taken by the 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;
  - 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 UBW under the BO. An Authorized Person should be appointed as the coordinator for the proposed building works in accordance with the BO; and
  - 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. Detailed checking under the BO will be carried out at building plan submission stage;
- (k) to note the comments of the Chief Town Planner/Urban Design and Landscape Section, Planning Department that the applicant should provide an effective planning buffer to mitigate the landscape impact of the proposed use, especially on the village houses to the southeast of the Site, more tree plantings should be proposed; and
- (l) to note the comments of the Commissioner of Police that in view of public safety, the applicant must maintain smooth traffic flow of Sik Kong Wai Road and provide sufficient safety precautions to avoid obstruction or danger caused to any person or vehicle on the road.

**tpbpd/PLAND**

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寄件者: [REDACTED]  
寄件日期: 2026年02月10日星期二 1:46  
收件者: tpbpd/PLAND  
主旨: A/HSK/595 DD 125, Sik Kong Wai, Hung Shui Kiu Open Space  
類別: Internet Email

A/HSK/595

Lot 1097 RP (Part) in D.D. 125 and Adjoining Government Land, Sik Kong Wai, Hung Shui Kiu

Site area: About 1,660sq.m Includes Government Land of about 740sq.m

Zoning: "Open Space"

Applied use: Retail Shop for Construction Materials / 2 Vehicle Parking

Dear TPB Members,

Strong Objections, this is effectively a brownfield operation and inappropriate on 'OS' zoning. It is clear from the layout plan that there would be a significant element of Open Storage at the south of the site.

The site is partly GL, and, at least until recently, covered in trees and vegetation. The description of 'overgrown with weeds' is misleading. Members should request aerial images of the site. No mention of tree felling but it is clear that the entire site would be filled in.

There is no justification to approve the introduction of back door brownfield to 'OS' zoning, particularly when it is adjacent to residences.

The application should be rejected.

Mary Mulvihill