

Previous s.16 Applications Covering the Application Site

Approved Application

	Application No.	Applied Use(s)	Date of Consideration
1.	A/I-TCV/19	Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years	29.7.2022

Rejected Application

	Application No.	Applied Use(s)	Date of Consideration	Rejection Reason(s)
1.	A/I-TCV/5	Proposed Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years	26.1.2018	(a), (b) and (c)

Rejection Reason(s):

- (a) not in line with the planning intention of “Residential (Group C)2” zone and will frustrate the planning intention of the area for road use
- (b) fails to demonstrate that the proposed development will not have adverse landscape and visual impacts on the surrounding areas
- (c) setting an undesirable precedent

Government Departments' Comments

1. Land Administration

Comments of the District Lands Officer/Islands, Lands Department:

- the site comprises Old Schedule Agricultural Lot Nos. 1890RP and 1886 in D.D. 1 TC 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;
- the Lots are covered by STW No. 3248 for the purpose of temporary place of recreation, sports or culture (hobby farm) subject to a term commencing on 26.10.2024 and thereafter quarterly. According to the conditions of STW No. 3248, the total built-over-area should not exceed 124 square metres on the Lots and the maximum height of building(s)/structure(s) should not exceed 4.5 meters above the existing ground level;
- his office has not received any complaint relating to the Site and no enforcement action against the Lots has been taken or is being contemplated by his office; and
- the applicant should note his advisory comments as detailed in **Appendix IV**.

2. Traffic

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

- it is noted that currently the subject site does not locate on or adjacent to any public roads managed by his department. He is not in a position to offer comment on the application from traffic engineering point of view in this context; and
- the applicant should note her advisory comments as detailed in **Appendix IV**.

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

- no adverse comment from road maintenance viewpoint; and
- the applicant should note his advisory comments as detailed in **Appendix IV**.

3. Environment

Comments of the Director of Environmental Protection:

- it is noted that (i) the proposed development involves a single-storey structure and no washroom will be provided; and (ii) no wastewater will be discharged from the proposed use. Also, according to our record, no complaints regarding the Site have been received in the past 3 years;
- adverse environmental impact arising from the proposed development is not anticipated and he has no objection to the application; and
- the applicant should note his advisory comments as detailed in **Appendix IV**.

4. **Drainage**

Comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department:

- he has no comments given the applicant would take up the maintenance responsibility for the proposed wire mesh; and
- the applicant should note his advisory comments as detailed in **Appendix IV**.

5. **Landscape**

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

- she has no adverse comments on the application from landscape planning perspective;
- based on the aerial photo taken in 2024, the Site is located in an area of miscellaneous rural fringe landscape comprising vacant land to the north and west, and vegetation covers to the south and southwest;
- with reference to DPO's site photos taken on 11.7.2025, the Site is mainly paved and no existing trees were observed on the site; and
- it is noted that approximately 60% of the site area is proposed for farming area and the hardcovers are proposed to be removed and reinstated with soil covers for farming. No significant adverse landscape impact arising from the proposed use is anticipated.

6. **Fire Safety**

Comments of the Director of Fire Services:

- he has no objection in principle to the proposal subject to fire service installations being provided to his satisfaction; and
- the applicant is advised to submit a full set of FS251, incorporating all proposed FSI, for his further arrangement of the FSI acceptance inspection.

7. **Other Departments**

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

- (a) Chief Building Surveyor/New Territories East 1 and Licensing, Buildings Department;
- (b) Chief Engineer/Construction, Water Supplies Department;
- (c) Commissioner for Transport;
- (d) Director of Agriculture, Fisheries and Conservation;
- (e) Director of Electrical and Mechanical Services;
- (f) Director of Food and Environmental Hygiene;
- (g) Director of Leisure and Cultural Services;

- (h) District Officer (Islands), Home Affairs Department;
- (i) Head of Geotechnical Engineering Office, Civil Engineering and Development Department; and
- (j) Head of South Development and Sustainable Lantau Office, CEDD

Recommended Advisory Clauses

1. to note the comment of District Land Officer/Island that the applicant is reminded to strictly comply with the terms and conditions of STW No. 3248, especially the condition in relation to the maximum height of building(s)/structure(s) within the Lots, Failure to comply with the terms and conditions of STW No. 3248 shall constitute a breach of the waiver and entitle the Government to revoke the waiver forthwith.
2. to note the comment of Commissioner for Transport that for its possible connection of vehicular access to the future public road, please seek advice from the project proponent of relevant road works.
3. to note the comment of Director of Environmental Protection that the applicant should be reminded to implement the environmental pollution control measures during construction of the proposed development to minimise environmental impacts and nuisance to nearby residents. A full set of the “Recommended Pollution Control Clauses for Construction Contracts” at the following EPD’s website:
https://www.epd.gov.hk/epd/english/environmentinhk/eia_planning/guide_ref/rpc.html
4. to note the comment of Director of Fire Services that 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
5. to note the comment of Director of Drainage Services that the applicant is reminded to conduct regular desilting of the existing drainage ditch within his lot to prevent potential flooding risks.
6. to note the comment of Director of Food and Environmental Hygiene that the operation / use of venue for the activities / businesses for the "Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm)" should not cause any environmental nuisance to the surroundings. For any wastes generated from commercial / trading activities at the proposed location, the applicant/operator in future should handle the disposal on their own at their expenses. The

operation of any catering services or public entertainment activities are governed by the Director of Food and Environmental Hygiene under the Public Health and Municipal Services Ordinance (Cap. 132), Places of Public Entertainment Ordinance (Cap.172) or other relevant legislation(s). If the applicant / operator in future is intended to conduct the aforementioned services or activities at the location under application, issuance of a proper license / permit from this Department is required prior to the operation of such services or activities. For more details about the application for a restaurant license, public entertainment license, the applicant can refer to our “Guide to Application for Licenses” available at

<https://www.fehd.hksarg/english/licensing/index.html>.

7. to note the comment of the Chief Building Surveyor/New Territories East 1 and Licensing, Buildings Department that if there is any existing structure erected on leased land without approval of the Buildings Department (BD) (not being a New Territories Exempted House), they are unauthorized under the Buildings Ordinance (BO) and should not be designated for any approved use under the captioned application. Before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the application site, the prior approval and consent of the BD should be obtained, otherwise they are Unauthorized Building Works (UBW). An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO. For UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with BD's 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 application site under the BO. If the proposed use under application is subject to the issue of a licence, please be reminded that any existing structures on the application site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority. In connection with (b) above, the site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with the Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively. If the site abuts on a specified street not less than 4.5m wide as defined in B(P)R 18A, the development potential of the site will be determined according to B(P)Rs 20 and 21. Otherwise, the development potential of the site should be subject to determination under B(P)R 19(3) by the BA upon formal submission of building

plan. Detailed comments under the BO on individual site for a private development such as permissible plot ratio, site coverage, means of escape, fire resisting construction, emergency vehicular access, private streets and/or access roads, provision of natural lighting and ventilation, sanitary fitments and drainage system, etc. will be formulated at the building plans submission stage.

8. to note the comment of the Chief Highway Engineer/New Territories East, Highways Department that the proposed run-in/out, if any, should be designed and constructed according to prevailing standard of TD and HyD. HyD's standard drawing no. H1113 and H1114 may be relevant.
9. to note the comment of the Head of South Development and Sustainable Lantau Office, Civil Engineering and Development Department that the subject application site is in close proximity to the proposed Road L26 and polder under CEDD's Tung Chung New Town Extension project. The 3-years application period may overlap with the construction period of the said works. The applicant shall liaise with CEDD and the future contractor for interfacing issues, if any.