

Government Departments' General Comments

1. Land Administration

Comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD):

- no objection to the application;
- the application site (the Site) comprises Lots 1267 S.A (Part), 1290 (Part), 1291 (Part), 1292 (Part), 1270 S.CD (Part), 1268, 1269, 1270 S.A & S.B RP (Part), 1272 S.A RP (Part) and 1273 RP (Part) all in D.D. 17 which are Old Schedule Agricultural Lots held under the Block Government Lease, containing the restriction that no structures are allowed to be erected without the prior approval of the Government;
- there is no guarantee to the grant of a right of way to the Site or approval of the emergency vehicular access thereto; and
- his advisory comments are at **Appendix III**.

2. Traffic

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

- no in-principle objection to the application from traffic engineering point of view; and
- her advisory comments are at **Appendix III**.

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

- no adverse comment on the application; and
- his advisory comments are at **Appendix III**.

3. Agriculture and Animal Licensing

Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- he has no strong view on the application from agricultural perspective. The Site is zoned "AGR" and is generally vacant. Agricultural infrastructures such as road access and water source are also available. Nevertheless, the Site can be rehabilitated for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc., though whether there will be agricultural activities on a specific site will hinge on a lot of factors;
- the Site has no licensed premises granted by Animal Business Regulatory Section under Cap. 139B, 139F, 139I and 139J. Furthermore, there is no licensed premises, new licence

application and known animal shelters within D.D. 17; and

- his advisory comments are at **Appendix III**.

4. **Landscape**

Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

- no adverse comment on the application from landscape planning perspective;
- based on the aerial photo taken in 2025, the Site is located in an area of rural coastal plain landscape character comprising Small Houses, temporary structures and tree clusters. The proposed use is not entirely incompatible with the surrounding environment;
- with reference to the recent site photos, the Site is generally vacant with tree debris and one common tree species at the periphery of the Site. According to the Application Form, no tree felling is anticipated. Significant adverse landscape impact arising from the proposed use is not anticipated; and
- her advisory comments are at **Appendix III**.

5. **Environment**

Comments of the Director of Environmental Protection (DEP):

- no objection to the application from environmental planning perspective;
- no environmental complaint in relation to the Site was received in the past three years; and
- his advisory comments are at **Appendix III**.

6. **Drainage**

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

- approval conditions on the submission and implementation of a drainage proposal before the commencement of any operation and land filling works are recommended to ensure that the proposed use with associated filling of land will not cause adverse drainage impact to the adjacent areas; and
- her advisory comments are at **Appendix III**.

7. **Fire Safety**

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

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

8. **Building Matters**

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

- no objection to the application;
- it is noted that 37 structures are proposed in the application, before any new building works (including container/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; and
- his advisory comments are at **Appendix III**.

9. **Food and Environmental Hygiene**

Comments of the Director of Food and Environmental Hygiene (DFEH):

- no adverse comment on the application; and
- his advisory comments are at **Appendix III**.

10. **Other Departments**

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

- Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- Project Manager/North, Civil Engineering and Development Department (PM/N, CEDD);
- Head of Geotechnical Engineering Office (H(GEO)), CEDD;
- Director of Electrical and Mechanical Services (DEMS); and
- District Officer (Tai Po), Home Affairs Department (DO(TP), HAD).

Recommended Advisory Clauses

- (a) failure to reinstate the application site (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;
- (b) to resolve any land issue relating to the proposed use with the concerned owner(s) of the Site;
- (c) to note the comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that:
 - (i) the lot owners shall apply to his office for a Short Term Waiver (STW) to permit the structures to be erected on the Site. The application for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STW, if approved, will be subject to such terms and conditions including 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 structures will be considered;
 - (ii) the applicant will likely make use of the adjoining private land and Government land (GL) for access to the Site. The maintenance and management responsibility of the said GL and any other GL leading to the Site should be sorted out with the relevant government departments, prior to the use of access purpose. Moreover, access to the Site may also fall on adjoining private lots all in D.D. 17. The applicant should sort out the relevant issues with the lot owners concerned; and
 - (iii) there is no guarantee to the grant of a right of way to the Site or approval of the emergency vehicular access (EVA) thereto;
- (d) to note the comments of the Commissioner for Transport (C for T) that for the village access road and village areas, they are not under the Transport Department's management. It is suggested that the land status, management and maintenance responsibilities of the areas should be clarified with the relevant lands and maintenance authorities accordingly in order avoid potential land disputes;
- (e) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD) that:
 - (i) adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains; and
 - (ii) the access road connecting the Site with Ting Kok Road is not and will not be maintained by his office. His office should not be responsible for maintaining any access connecting the Site with Ting Kok Road;
- (f) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that under the Public Health (Animals) (Boarding Establishment) Regulations (Cap. 139I), any person who provides food and accommodation for animals in return for a fee paid by the owner must apply for a Boarding Establishment Licence from his department. The applicant should also be reminded that the establishment and ancillary facilities which are licensed under Public Health

(Animals) (Boarding Establishment) Regulations (Cap. 139I) must always fulfill the criteria listed in the Regulations. The dogs kept by the applicant should also be properly licensed as in accordance with the Rabies Ordinance (Cap. 421) and the applicant is reminded to observe the Prevention of Cruelty to Animals Ordinance (Cap 169) at all times. He will provide detail information and guidance on animal boarding establishment when the applicant submits licence application to him;

- (g) 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, felling and compensatory/new tree planting. The applicant is reminded to seek approval for any proposed tree works from relevant departments prior to commencement of the works;
- (h) to note the comments of the Environmental Protection Department (DEP) that the applicant is reminded:
 - (i) to follow the relevant mitigation measures and requirements in 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' and to meet the statutory requirements under relevant pollution control ordinances;
 - (ii) to follow the requirements of the Professional Persons Environmental Consultative Committee Practice Notes 1/23 to properly handle the sewage produced from the proposed use and ensure that the public sewerage system will have sufficient capacity to cater for the sewage generation from the proposed use and observe that written consent(s) obtained from the adjacent lot owner(s) and/or LandsD for laying and maintaining sewers, if any, may be required;
 - (iii) to keep all dogs in enclosed structures with soundproofing materials and 24-hour mechanical ventilation and air conditioning system on the Site between 6:00 p.m. and 9:00 a.m., as proposed by the applicant; and
 - (iv) no public announcement system will be allowed at the Site at any time as proposed by the applicant;
- (i) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) while there are DSD's public stormwater drains in this area, the applicant 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 should neither obstruct overland flow nor adversely affect the existing natural streams, village drains, ditches and the adjacent areas. The applicant is required to maintain the drainage systems properly and rectify/modify the nearby existing/original drainage systems if they are found to be inadequate or ineffective to accommodate the additional runoff arisen from the proposed use at the Site. The applicant shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure or ineffectiveness of the modified drainage systems caused by their works;
 - (ii) there are existing public sewers in the vicinity of the Site. The drainage record plan is at

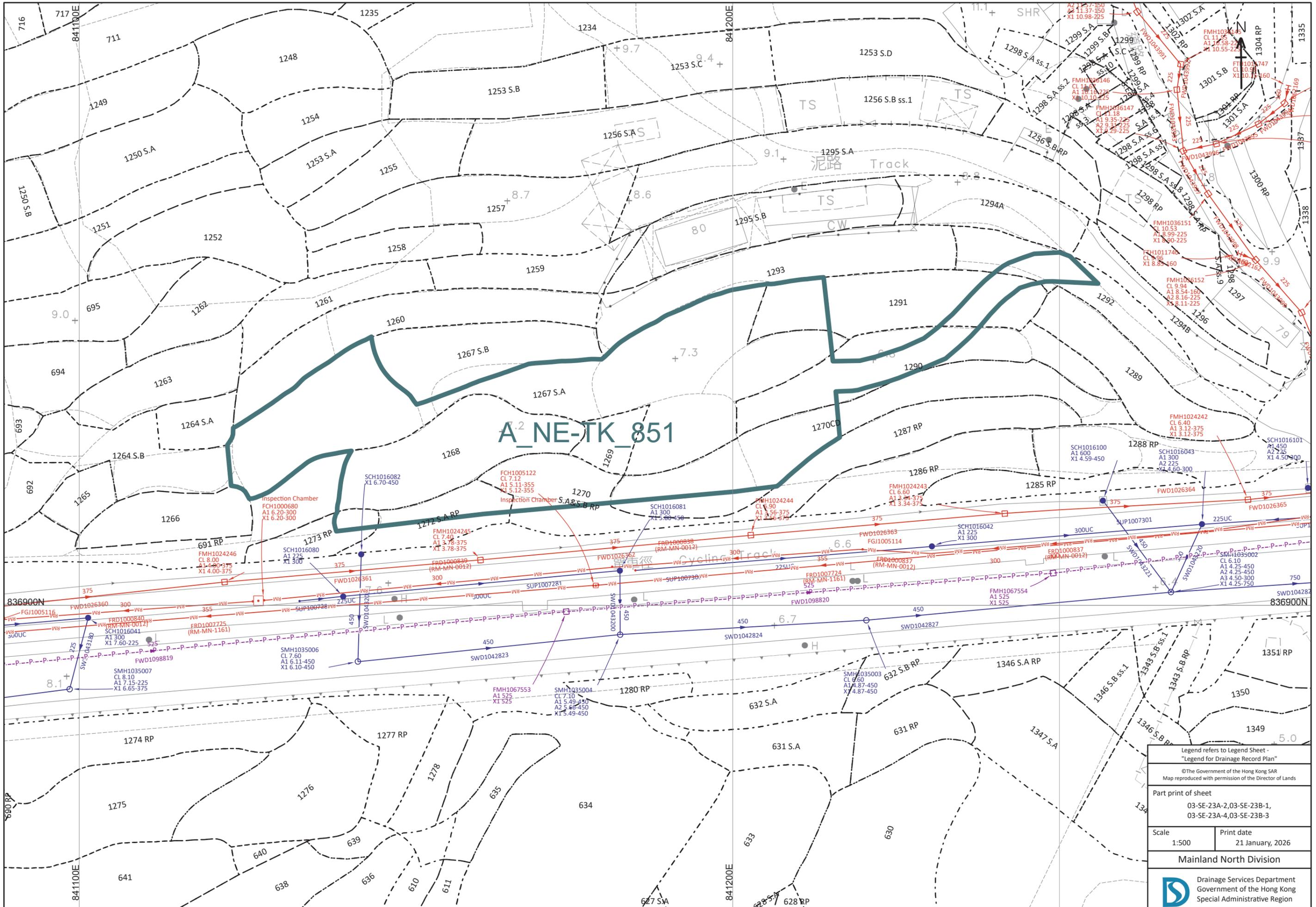
Attachment 1 for ease of reference;

- (iii) the applicant shall resolve any conflict/disagreement with relevant lot owner(s) and seek LandsD's permission for laying new drains/channels and/or modifying/upgrading existing ones in other private lots or on GL (where required) outside the Site;
- (iv) the comments below on the stormwater drainage proposal should be addressed in the revised submission of drainage proposal:
 - (1) design calculations and catchment delineation plan should be provided to demonstrate that the proposed drainage facilities and the existing drainage facilities are hydraulically adequate. Please be reminded that surface channels should be provided along the perimeter of the Site to collect all the runoff generated from the Site or passing through the Site;
 - (2) part(s) of the proposed stormwater drainage system is/are within the private lot(s) near the Site. The applicant shall resolve any conflict/disagreement with relevant lot owner(s) and seek LandsD's permission for laying new sewers/drains/channels and/or modifying/upgrading existing ones in other private lot(s) or on GL (where required) outside the Site;
 - (3) cover and invert levels of the drainage facilities should be provided;
 - (4) please specify the type of terminal manhole to be used;
 - (5) please specify the type and size of the proposed drainage facility at the downstream of the proposed terminal manhole;
 - (6) please provide details of the proposed u-channel including the details of cover to be used;
 - (7) please provide details of the proposed fencing. Sufficient opening/spaces should be provided at the foot of proposed fencing to allow surface runoff from the adjoining area freely flowing to the existing discharging point and the risk of flooding should be avoided at all time during and after the proposed works;
 - (8) please provide sufficient site photos showing the details of the existing stormwater drainage system proposed to collect and discharge the runoff from the Site;
 - (9) it is noted that part(s) of the proposed sewerage and stormwater drainage system is/are within the GL near the Site. The applicant shall seek LandsD's permission for laying such newly proposed sewers/drains/channels and/or modifying/upgrading existing ones on GL outside the Site; and
 - (10) the existing stormwater drainage system proposed for discharge of the runoff from the Site is maintained by DSD. The applicant should ensure that this drainage system and the existing downstream drains/channels/streams have adequate capacity to convey the additional runoff from the Site. Regular maintenance should be carried out by the applicant to avoid blockage of the system; and
- (v) furthermore, the applicant's attention is drawn to the following general comments/requirements on the stormwater drainage proposal:

- (1) the proposed drainage works, whether within or outside the lot boundary, should be constructed and maintained by the lot owner(s) at his/their expense;
 - (2) the applicant should rectify/modify the existing drainage system if it is found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify Government against claims and demands arising out of damage or nuisance caused by failure of the system;
 - (3) DSD noticed that the proposed drainage connection(s) surrounding/downstream areas will run through Government land and/or other private lot(s). The applicant shall demonstrate that the proposed drainage construction/improvement/modification works and the operation of the drainage can be practicably implemented on site;
 - (4) please be reminded that the domestic wastewater, such as wastewater from washing machine, kitchen, bathroom, toilet and washbasin are prohibited to discharge into stormwater drainage system;
 - (5) upon completion of the sewerage connection, an on-site technical audit will be carried out by this office. The applicant should submit the application for technical audit (Form HBPI), the sewerage drainage plan and the technical audit fee to his office at least two weeks before the technical audit. Form HBPI can be downloaded from DSD's website at <http://www.dsd.gov.hk>;
 - (6) the lot owner/developer(s) should take all precautionary measures to prevent any disturbance, damage and pollution from the proposed use to any parts of the existing drainage facilities in the vicinity of the lot. In the event of any damage to the existing drainage facilities, the lot owner/developer(s) would be held responsible for the cost of all necessary repair works, compensation and any other consequences arising therefrom; and
 - (7) the lot owner/developer(s) should also be advised that the limited desk-top checking by Government on the drainage proposal covers only the fundamental aspects of the drainage design which will by no means relieve his/their obligations to ensure that the proposed drainage works will not cause any adverse drainage or environmental impacts in the vicinity, and the proposed drainage works and the downstream drainage systems have the adequate capacity and are in good conditions to receive the flows collected from his/their lot(s);
- (j) to note the comments of the Director of Fire Services (D of FS) that:
- (i) the applicant should submit relevant layout plans incorporated with the proposed fire service installations (FSIs) for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy and the location of the proposed FSIs to be installed should be clearly marked; and
 - (ii) 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;
- (k) 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 EVA in

accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively;

- (ii) the Site does not abut 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 Containers A and B (**Drawing A-1**) which are proposed to be dormitory and meeting room, prescribed windows should be provided in accordance with Regulations 30 and 31 of the B(P)R, and shall have a height of not less than 2.5m measured from floor to ceiling in accordance with Regulation 24 of the B(P)R. Moreover, the open space provision for dormitory should not be less than the requirements as stipulated in the Second Schedule of B(P)R;
 - (iv) 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;
 - (v) any temporary shelters or converted container for office, storage, washroom or other uses are considered as temporary buildings are subject to control of Part VII of the B(P)R;
 - (vi) every room containing a soil fitment or waste fitment shall be provided with a window in accordance with Regulation 36 of the B(P)R;
 - (vii) the applicant's attention is also drawn to the provision under Regulations 40 and 41 and Part V of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations in respect of disposal of foul water and surface water and requirements of septic tanks respectively; and
 - (viii) detailed checking under the BO will be carried out at the building plan submission stage; and
- (l) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that:
- (i) no Food and Environmental Hygiene Department (FEHD)'s facilities will be affected;
 - (ii) proper licence/permit issued by FEHD is required if there is any food business/catering service/activities regulated by DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public and the operation of any business should not cause any obstruction; and
 - (iii) if the proposal involves any commercial/trading activities, there should be no encroachment on the public place and no environmental nuisance should be generated to the surroundings. Its state should not be a nuisance or injurious or dangerous to health and surrounding environment. Any animal carcass/parts shall be properly wrapped or bagged before disposal and in accordance with the relevant legislation. Also, for any waste generated from the activities in the premises, the applicant should handle on his/her own/at his/her expenses.



Legend refers to Legend Sheet -
"Legend for Drainage Record Plan"

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Part print of sheet
03-SE-23A-2, 03-SE-23B-1,
03-SE-23A-4, 03-SE-23B-3

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Mainland North Division

Drainage Services Department
Government of the Hong Kong
Special Administrative Region