

Government Departments with No Objection/No Adverse Comment

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

- (a) District Lands Officer/Tai Po, Lands Department;
- (b) Commissioner for Transport;
- (c) Chief Highway Engineer/New Territories East, Highways Department;
- (d) Chief Town Planner/Urban Design and Landscape, Planning Department;
- (e) Director of Environmental Protection;
- (f) Chief Engineer/Mainland North, Drainage Services Department;
- (g) Chief Engineer/Construction, Water Supplies Department;
- (h) Director of Fire Services;
- (i) Chief Building Surveyor/New Territories West, Buildings Department;
- (j) Project Manager (North), Civil Engineering and Development Department (CEDD);
- (k) Head of the Geotechnical Engineering Office, CEDD;
- (l) Director of Food and Environmental Hygiene; and
- (m) District Officer (Tai Po), Home Affairs Department.

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號
Reference Number: 260310-115750-72286

提交限期
Deadline for submission: 17/03/2026

提交日期及時間
Date and time of submission: 10/03/2026 11:57:50

有關的規劃申請編號
The application no. to which the comment relates: A/NE-TK/853

「提意見人」姓名/名稱
Name of person making this comment: 先生 Mr. LAI

意見詳情
Details of the Comment :

申請地區的主要用途現在其實是經營獸醫診所及提供寵物醫療服務，而非為康樂活動方面。
因此本人強烈反對此等以虛假資料來申報規劃許可，所以懇請城規會嚴厲把關。
不要被不法之徒魚目混珠，以正視聽！

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年03月17日星期二 15:22
收件者: Pok Chi Office Chan; tpbpd/PLAND
主旨: 規劃申請編號：A/NE-TK/853 - 臨時商店及服務行業（士多）的規劃許可續期（為期3年）-意見回覆
附件: doc01073220260317150808.pdf
類別: Internet Email

致: 城市規劃委員會秘書

現附上規劃申請編號：A/NE-TK/853 - 臨時商店及服務行業（士多）的規劃許可續期（為期3年）-意見回覆，以供閣下備悉及跟進。

如有任何查詢 [REDACTED]

謝謝
馬小姐
陳博智議員助理

致城市規劃委員會秘書

專人送遞或郵遞:香港北角渣華道333號北角政府合署15樓

傳真: 2877 0245或2522 8426

電郵: tpbpd@pland.gov.hk

To : Secretary, Town Planning Board

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax : 2877 0245 or 2522 8426

By e-mail : tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates.

A/NE-TK/853

意見詳情 (如有需要, 請另頁說明)

Details of the Comment (use separate sheet if necessary)

原則上不反對該地點繼續用作「臨時商店及服務行業(士多)」的用途。本人理解該士多主要為鄰近居民提供日常便利, 有其社區價值。

然而, 為平衡居民生活與商店運作, 本人建議城規會在批准續期時, 附加以下條件, 以確保該用途不會對周邊環境及居民造成不良影響:

(一) 限制營業時間: 建議規定士多每日的營業時間, 例如由早上7時至晚上10時, 以免深宵時段的運作(如貨物上落、顧客出入、冷氣機噪音)影響鄰近住戶的作息。

(二) 加強噪音管理: 要求營辦商採取措施控制噪音, 包括但不限於: 避免在深夜進行貨物裝卸、安裝防噪音設備(如冷氣機、雪櫃的防震裝置)、以及提醒顧客在店外保持安靜。

(三) 確保環境衛生: 要求營辦商負責維持店舖周邊的清潔, 包括每天清理垃圾、妥善處理污水及防止雜物(如紙皮箱、貨物)阻礙行人路或公眾通道, 以免滋生蟲患或影響景觀。

本人認為, 在上述條件下批准續期, 既能保留社區需要的便利設施, 又能保障附近居民的居住環境質素。

「提意見人」姓名/名稱 Name of person/company making this comment 陳博智區議員辦事處

簽署 Signature _____



日期 Date 13/03/2026

Recommended Advisory Clauses

- (a) the permission is given to the applied use under application. It does not condone any other use(s) which currently exists on the application site (the Site) but not covered by the application. The applicant shall be requested to take immediate action to discontinue such use(s) not covered by the permission;
- (b) to resolve any land issue relating to the applied use with the concerned land 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 Site comprises Old Schedule Agricultural Lots 1340 (Part) and 1366 in D.D. 17 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;
 - (ii) existing structure(s) straddling on Lots 1340 and 1366 in D.D. 17 was/were erected on the Site without the prior approval of the Government. His office has taken lease enforcement action against Lot 1366 in D.D. 17 by registering a warning letter dated 22.12.2020 in the Land Registry. A warning letter in respect of Lot 1340 in D.D. 17 was issued on 16.3.2026. The lot owners should rectify/regularize the lease breaches without delay;
 - (iii) an application for Government's approval under lease was received in September 2025 which however could not be considered as a valid application given it was submitted by the lot owner of Lot 1366 in D.D. 17 only. If the lot owners fail to rectify/regularize the lease breaches, this office reserves its rights to take further enforcement action, including re-entry action;
 - (iv) the applicant should remove the semicircular structure and the fence which are not included in the application as promised in their letter dated 16.3.2026 (**Appendix Ic**). His office reserves the rights to take necessary land control action/lease enforcement action against the illegal occupation of Government land (GL)/breach of lease condition without further notice;
 - (v) the applicant shall remove the semicircular structure and the fence as stated in their letter dated 16.3.2026. Besides, the lot owners should rectify/regularize the lease breaches without delay;
 - (vi) Short Term Waiver (STW) application in respect of Lot 1366 in D.D. 17 received by his office in September 2025 is not a valid application. If the planning application is approved, the lot owners of Lots 1340 and 1366 in D.D. 17 shall jointly apply to his office for STW to permit the structure(s) erected on the Site for the use as approved by the Town Planning Board. 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 the payment of waiver fee and administrative fee as considered appropriate by LandsD. Besides, given the applied use is temporary in nature, only erection of temporary structures will be considered;

- (vii) the applicant will likely make use of the adjoining 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;
- (viii) 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 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 and felling. The applicant is reminded to seek approval for any proposed tree works from relevant departments prior to commencement of the works;
- (e) to note the comments of the Director of Environmental Protection (DEP) that the applicant is reminded 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;
- (f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) no structure shall be erected temporarily or permanently within 3m from the top of the existing river embankment and the existing embankment shall not be altered nor the existing stream course be narrowed. The applicant is reminded that landfilling works encroaching into the nearby natural watercourse is suspected which reduced the cross-sectional profile of the natural watercourse. There is potential flooding risk thereat if the riverbank had been narrowed by unknown party;
 - (ii) there is no existing DSD maintained public drain available for connection in the 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 the systems if they are found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems;
 - (iii) there are existing public sewers in the vicinity of the Site. The drainage record plan is at **Attachment 1** for ease of reference; and
 - (iv) 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;
- (g) to note the comments of the Director of Fire Services (D of FS) that:
 - (i) the following supplementary information shall be submitted for further consideration:

full set of valid F.S.251(s) covering all the fire service installations (FSIs) implemented on the Site (i.e. the number of fire detectors in submitted F.S.251 is not consistent with the accepted FSIs proposal); and

- (ii) the applicant is reminded that if the structures are required to comply with the Buildings Ordinance (BO), detailed fire services requirements will be formulated upon receipt of formal submission of general building plans;
- (h) 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) if 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) if the existing structures (not being a New Territories Exempted House) 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 applied use under the application;
 - (iv) for UBW erected on leased land, enforcement action may be taken by 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 buildings works or UBW on the Site under the BO;
 - (v) all habitable rooms (including office) shall be provided with prescribed windows in accordance with Regulations 30 and 31 of the B(P)R;
 - (vi) 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
 - (vii) detailed checking under the BO will be carried out at building plan submission stage; and
- (i) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that:
- (i) no Food and Environmental Hygiene Department's (FEHD's) facilities should 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:
 - (1) under the Food Business Regulation (Cap. 132X) a food business licence is required for the operation of the relevant type of food business listed in the Regulation. For any premises intended to be used for food business (e.g. a restaurant, a food factory, a fresh provision shop), a food business licence from FEHD in accordance with the Public Health and Municipal Services Ordinance (Cap. 132) shall be obtained. The application for licence, if acceptable by FEHD, will be referred to relevant government

departments such as BD, Fire Services Department and PlanD 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;

- (2) 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:
 - if food is sold to customers for consumption on the premises, a restaurant licence should be obtained;
 - if food is only prepared for sale for consumption off the premises, a food factory licence should be obtained;
 - 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 should be obtained; and
 - if restricted foods like milk, frozen confections, non-bottled drinks, cut fruit etc. are to be sold, relevant individual restricted food permit(s) or a composite restricted foods permit should be obtained; and
- (3) when choosing a premises for food business licences, 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. Applicants are strongly advised to check well in advance the following documents: the Government Lease, the Occupation Permit of the building and the statutory plan. No part of a food premises shall be located in, under or over any structures built without the approval and consent of the BA;
- (iii) 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 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 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 story-telling, 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 Place of Public Entertainment Licence (or Temporary Place of Public Entertainment Licence) should be obtained from FEHD whatever the general public is admitted with or without payment; and
- (iv) 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. Also, for any waste generated from such activities/operation, the applicant should arrange disposal properly at their own expenses.

