

**Previous s.16 Application covering the Application Site (the Site)**

Approved Application

<b>No.</b>	<b>Application No.</b>	<b>Use(s)/Development(s)</b>	<b>Date of Consideration (RNTPC)</b>
1.	A/YL-KTS/950	Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) with Ancillary Facilities for a Period of 5 Years	23.6.2023 [revoked on 23.12.2025]

**Similar s.16 Applications within the same “R(D)” Zone of the Site  
in the past five years**

Approved Applications

<b>No.</b>	<b>Application No.</b>	<b>Use(s)/Development(s)</b>	<b>Date of Consideration (RNTPC)</b>
1.	A/YL-KTS/954	Proposed Temporary Shop and Services and Vehicle Repair Workshop (Excluding Repair of Container Vehicle) for a Period of 3 Years	31.3.2023
2.	A/YL-KTS/1042	Proposed Temporary Shop and Services (Retail Shop for Hardware Groceries and Construction Materials) with Ancillary Facilities for a Period of 5 Years	28.3.2025
3.	A/YL-KTS/1044	Proposed Temporary Shop and Services (Retail Shop for Hardware Groceries and Construction Materials) with Ancillary Facilities for a Period of 5 Years	2.5.2025
4.	A/YL-KTS/1111	Temporary Shop and Services and Vehicle Repair Workshop (Excluding Repair of Container Vehicle) for a Period of 3 Years	6.2.2026

**Government Departments' General Comments**

**1. Traffic**

Comments of the Commissioner for Transport:

- no comment from traffic engineering perspective; and
- advisory comments are at **Appendix IV**.

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

- no in-principle objection to the application from highways maintenance perspective;
- the application site (the Site) involves Government land which is not under HyD's maintenance purview; and
- advisory comments are in **Appendix IV**.

**2. 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 the satisfaction of his department; and
- advisory comments are at **Appendix IV**.

**3. Drainage**

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

- no objection in principle to the application from public drainage point of view;
- no adverse comment on the submitted drainage proposal;
- should the application be approved, approval conditions requiring the implementation of the accepted drainage proposal and maintenance of the implemented drainage facilities for the development should be included in the planning permission; and
- advisory comments are in **Appendix IV**.

**4. Environment**

Comments of the Director of Environmental Protection:

- no objection in principle to the application from environmental planning perspective;

- there were two substantiated environmental complaints related to waste aspect received against the Site in the past three years; and
- advisory comments are in **Appendix IV**.

## 5. **Landscape**

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

- the Site falls within “Residential (Group D)” zone, which is non-landscape sensitive zoning and no significant landscape impact arising from the proposed use is anticipated.

## 6. **Building Matters**

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

- no objection to the application;
- there is no record of approval granted by the Building Authority for the existing structures at the Site; and
- advisory comments are at **Appendix IV**.

## 7. **District Office’s Comments**

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

- no particular comment on the application and no comment has been received from the locals upon close of consultation.

## 8. **Other Departments**

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

- Director of Agriculture, Fisheries and Conservation;
- Project Manager (West), Civil Engineering and Development Department;
- Chief Engineer/Railway Development 1-1, HyD;
- Chief Engineer/Construction, Water Supplies Department;
- Director of Electrical and Mechanical Services; and
- Commissioner of Police.

**Recommended Advisory Clauses**

- (a) to resolve any land issues relating to the proposed use with the concerned owner(s) and/or occupant(s) of the application site (the Site);
- (b) the permission is given to the use and/or structures under application. It does not condone any other use(s) and/or structure(s) which currently occur on the application site (the Site) but not covered by the application. Immediate action should be taken to discontinue such use(s) and/or remove such structure(s) 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) shall apply to his office for a Short Term Waiver (STW) and Short Term Tenancy (STT) to permit the structure(s) erected within the private lot(s) and the occupation of the Government land. 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:
  - (i) the Site is connected to the public road network via a section of a local access road which is not managed by the Transport Department. The land status of the local access road should be checked with the Lands Department. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly;
  - (ii) sufficient manoeuvring space shall be provided within the Site; and
  - (iii) 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:
  - (i) HyD shall not be responsible for the maintenance of proposed access connecting the Site and Kam Sheung Road, including the local track; and
  - (ii) 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 Director of Fire Services that:
  - (i) the applicant shall submit relevant layout plans incorporated with the proposed fire service installations (FSIs) to his department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of proposed FSIs to be installed should be clearly marked on the layout plans; and

- (ii) if the proposed structures are required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire services requirements will be formulated upon receipt of formal submission of general building plans;
- (g) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department that:
- (i) the detailed comments on the drainage proposal previously provided to the applicant shall be taken into account in the implementation of accepted drainage proposal;
  - (ii) the applicant is required to rectify the drainage system 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 a failure of the drainage system. Regular maintenance should be carried out by the applicant(s) to avoid blockage of the system;
  - (iii) the proposed use would neither obstruct overland flow nor adversely affected any existing natural streams, village drains, ditches and the adjacent areas;
  - (iv) the applicant should resolve any conflict/disagreement with relevant lot owner(s) and seek permission from DLO/YL, LandsD for laying new drains/channels and/or modifying/upgrading existing ones in other private lots or on Government Land, where required, outside the Site; and
  - (v) for any change of existing ground level and associated works proposed by the applicant that could affect adjacent land and cause other impacts and/or other issues to public, the applicant is required to submit technical assessment(s) in other aspect(s) and seek comment from relevant departments as necessary;
- (h) to note the comments of the Director of Environmental Protection that:
- (i) the applicant shall follow the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites';
  - (ii) 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';
  - (iii) the applicant shall provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the proposed use; and
  - (iv) the applicant shall meet the statutory requirements under relevant environmental legislation;
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that:
- (i) it is noted that four 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 should be obtained, otherwise they are unauthorised building works (UBW) under the BO. An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;

- (ii) 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;
  - (iii) 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 building plan submission stage;
  - (iv) 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 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 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
  - (vi) detailed checking under the BO will be carried out at building plan submission stage;
- (j) to note the comments of the Director of Agriculture, Fisheries and Conservation that the applicant shall adopt appropriate measures to avoid causing pollution or disturbance to the adjacent mitigation planting abutting the northern boundary of the Site and watercourse;
- (k) to note the comments of the Director of Electrical and Mechanical Services that in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organising and supervising any activity near the underground cable or overhead line under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. They should also be reminded to 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; and
- (l) to note the comments of the Commissioner of Police that the proposed use shall not cause traffic congestion or flooding.

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**tpbpd/PLAND**

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寄件者: [REDACTED]  
寄件日期: 2025年10月31日星期五 3:31  
收件者: tpbpd/PLAND  
主旨: A/YL-KTS/1101 and 1102 DD 106 Shek Kong Tsui  
類別: Internet Email

A/YL-KTS/1101 Alpha Bless

Lots 670 (Part), 671 (Part) , 673 (Part) , 674, 675, 676, 677 (Part), 679 (Part) and 680 (Part) in D.D. 106 and Adjoining Government Land, Shek Kong Tsui

Site area: About 6,147sq.m Includes Government Land of About 845sq.m

Zoning: "Res (Group D)"

Applied use: Retail Shop for Hardware Groceries and Construction Materials / 7 Vehicle Parking  
**/ 5 Years**

A/YL-KTS/1102 Promise Luck

Lots 681 RP (Part), 682 RP (Part) and 683 RP (Part) in D.D. 106 and Adjoining Government Land, Shek Kong Tsui

Site area: About 2,258sq.m Includes Government Land of About 151sq.m

Zoning: "Res (Group D)"

Applied use: Retail Shop for Hardware Groceries and Construction Materials / 5 Vehicle Parking  
**/ 5 Years**

Dear TPB Members,

Strong Objections.

The applications should be considered together as they are the components of 950, yet ANOTHER FAKE HOBBY FARM APPLICATION THAT BOTH PLAND AND TPB ENDORSED DESPITE THE FACT THAT 90% OF APPLICATIONS FOR THIS USE ARE CLEARLY JUST THE FIRST STEP TO FILLING IN THE LAND FOR EVENTUAL BROWNFIELD APPLICATION.

In this instance did not take long. Approved 23 June 2023 but conditions of course never fulfilled.

Original applicant states that:

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*“After obtaining the previous planning approval, the applicant found it difficult to operate the hobby farm business in the area due to the lack of customers and they noticed that there is a demand from residents and operators in the vicinity for hardware groceries and construction materials. As such, the applicant intended to submit a fresh planning application for a retail shop of hardware and construction materials.”*

**I SUGGEST THAT THIS STATEMENT BE FRAMED AND HUNG IN TPB**

1101 is a 100% filling of land

1102: “A total of 4 temporary structures are provided for shop, reception and office uses. The gross floor area is about 363 m<sup>2</sup>” indicates considerable amount of Open Storage.

Both applications are for 5 years – this is unacceptable for what is essentially warehouse and open storage operations that are limited to 3 years.

**So, members, go ahead and approve and DEMONSTRATE YET AGAIN THAT YOU AND PLAND ARE WILLING PARTNERS IN JOINT ENTERPRISE WITH OPERATORS IN THE ONGOING DECEITFUL PRACTICE OF APPROVING FAKE HOBBY FARM AND ABE WHEN THE INTENTION IS CLEARLY BROWNFIELD.**

Mary Mulvihill

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**From:** [REDACTED]  
**To:** tpbpd <tpbpd@pland.gov.hk>  
**Date:** Monday, 6 March 2023 11:14 PM HKT  
**Subject:** A/YL-KTS/950 DD 106 Shek Kong Tsui

A/YL-KTS/950

Lots 670 (Part), 671, 673, 674, 675, 676, 677 (Part), 679, 680, 681 R.P. (Part), 682 R.P., 683 R.P. (Part) in D.D. 106 and Adjoining Government Land, Shek Kong Tsui

Site area: About 9,387sq. m Includes Government Land of About 1,196sq.m

Zoning: "Res (Group D)"

Applied use: Hobby Farm / 12 Vehicle Parking / **5 Years**

Dear TPB Members,

Strong Objections. This is a Destroy to Build application as the site has been completely stripped of vegetation.

Members should ask if any enforcement action has been taken as the site includes a significant portion of public land.

Mary Mulvihill

**tpbpd/PLAND**

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寄件者: [REDACTED]  
寄件日期: 2025年12月12日星期五 2:58  
收件者: tpbpd/PLAND  
主旨: Re: A/YL-KTS/1101 and 1102 DD 106 Shek Kong Tsui  
類別: Internet Email

Dear TPB Members,

In the wake of the Wang Fuk tragedy, the community can no longer tolerate the conspiracy between operators, govt depts and TPB to gradually cover the territory in cement via manipulation of the process.

Mary Mulvihill

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**To:** tpbpd <tpbpd@pland.gov.hk>  
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