

Government Departments with No Objection / No Adverse Comment

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

- (a) Secretary for Housing;
- (b) Executive Secretary (Antiquities & Monuments), Antiquities and Monuments Office (AMO), Development Bureau;
- (c) Director of Social Welfare;
- (d) Chief Architect/Advisory and Statutory Compliance, Architectural Services Department;
- (e) District Lands Officer/Yuen Long, Lands Department;
- (f) Commissioner for Transport;
- (g) Chief Highway Engineer/New Territories West, Highways Department (HyD);
- (h) Chief Engineer/Railway Development 1-1, Railway Development Office, HyD;
- (i) Chief Engineer/Mainland North, Drainage Service Department;
- (j) Director of Fire Services;
- (k) Director of Environmental Protection;
- (l) Chief Town Planner/Urban Design and Landscape, Planning Department;
- (m) Director of Agriculture, Fisheries and Conservation;
- (n) Project Manager (West), Civil Engineering and Development Department (CEDD);
- (o) Head of the Geotechnical Engineering Office, CEDD;
- (p) Chief Engineer/Construction, Water Supplies Department;
- (q) Chief Building Surveyor/New Territories West, Buildings Department;
- (r) Director of Food and Environmental Hygiene;
- (s) District Officer (Yuen Long), Home Affairs Department;
- (t) Director of Electrical and Mechanical Services; and
- (u) Commissioner of Police.

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tpbpd/PLAND

寄件者: [REDACTED]
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收件者: tpbpd/PLAND
主旨: 支持繼續的過渡性房屋

類別: Internet Email

致城市規劃委員會：

申請編號 A/YL-KTS/1126 元朗錦田南江夏圍

支持繼續該地用以過渡房屋延續多六年, 因為須要顧及非長者單身人士的需要, 他們每年獲批上公屋的配額很少, 輪候時間長, 現年 52 歲的非單身人士, 不知何時上樓; 外面的 150 尺有電梯和安全的簡樸房租金 8 千元, 負擔不起租金; 博愛江夏圍村過渡房屋除造福輪候公屋人士外, 也幫助了附近的村民, 可到該村看中醫、牙科和飲食.

2026 年 5 月 10 日

Recommended Advisory Clauses

- (a) to resolve any land issue relating to the development with the concerned owner(s) of the application site (the Site);
- (b) to note the comments of the Executive Secretary (Antiquities & Monuments), Antiquities and Monuments Office (AMO), Development Bureau that the applicant is required to consult AMO when any works at the Site may affected the Graded Buildings (i.e. the Main Building, Entrance Gate and Servants' quarters of Kong Ha Wai), and pursuant to the Antiquities and Monuments Ordinance (Cap. 53), inform AMO when any antiquities or supposed antiquities under the ordinance are discovered in the course of works;
- (c) to note the comments of the District Lands Officer/Yuen Long, Lands Department (LandsD) that:
 - (i) according to the applicant's submission, the Site comprises various private lots including Lots No. 472 (Part), 587 RP (Part), 591, 592, 600 (Part), 1276 (Part), 1277 RP, 1318, 1321, 1322, 1324, 1325 S.A & SB-E, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335 S.A, 1335 RP, 1336 RP, 1337 RP (Part), 1338 (Part), 1339 (Part), 1340, 1341 (Part), 1342 (Part) and 1343 (Part) all in D.D. 106 and adjoining Government land. Majority of the Site is covered by Short Term Waiver (STW) Nos. 5220 and 5221 (except Lot Nos. 1328, 1330, 1331, 1332 and 1333 in D.D. 106) and Short Term Tenancy (STT) No. 3280 for the purposes of temporary transitional housing development;
 - (ii) the applied development of transitional housing generally tallies with the permitted use under the STW Nos. 5220 and 5221 and STT No. 3280;
 - (iii) in the event that the applied development (or part(s) thereof) would be outside the STW Nos. 5220 and 5221 and/or STT No. 3280, the applicant has to apply to his office a separate STW and/or STT application for the purpose of transitional housing. The applicant is reminded that each application submitted to LandsD will be considered on its own merit by LandsD at its absolute discretion acting in its capacity as a landlord and there is no guarantee that STW and/or STT application will eventually be approved by LandsD. If the STW and/or STT application is approved by LandsD, it will be subject to such terms and conditions as may be imposed by LandsD at its absolute discretion;
 - (iv) the applicant should ensure the temporary transitional housing development will comply with all conditions of STT No. 3280 and STW Nos. 5220 and 5221. Failure to comply with any tenancy/waiver conditions may result in enforcement action and/or termination of the subject STT/STW by the Government; and
 - (v) any requirement for technical arrangement such as landscape treatment, transport arrangement, sewage arrangement, drainage arrangement and fire service installations etc., should be subject to comments of relevant Government departments;

- (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 LandsD. 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 Engineer/Mainland North, Drainage Services Department that 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;
- (f) to note the comments of the Director of Environmental Protection that the applicant shall ensure the mitigation measures recommended under the previously conducted environmental assessments for the applied development are properly implemented and maintained as appropriate;
- (g) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that:
- (i) 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 unauthorised building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the application;
 - (ii) 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 works or UBW on the Site under the BO;
 - (iii) before any new building works (including container/open sheds as temporary buildings, demolition and land filling) are to be carried out on the Site, prior approval and consent of the BA should be obtained, otherwise they are UBW. An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - (iv) 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;
 - (v) if the Site does not abut on a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage;
 - (vi) the excavation and backfilling works should be carried out under the supervision

of a competent person;

- (vii) the applicant's attention is drawn to Building (Minor Works) Regulation that excavation with a depth between 0.3m to 3m falls within the items of Class I or Class II minor works and subject to the Minor Work Control System. The excavation works should be supervised by competent persons, who are Professional and/ or Prescribed Registered Contractor. The applicant may visit BD's website (<https://www.bd.gov.hk/en/index.html>) for details;
 - (viii) adequate precautionary measures and suitable working procedures should be adopted in carrying out the above works to safeguard the stability of any building, structure, land, street or services. Any precautionary measures, which involve new building works, are subject to (iii) above;
 - (ix) when any natural, formed or man-made land has due to any cause been rendered so dangerous or liable to become so dangerous that it will collapse, or be likely to collapse, and thereby will cause, or will be likely to cause, a risk of injury to any person or damage to any property, enforcement action may be taken by the BD; and
 - (x) for features applied to be excluded from the calculation of the total gross floor area, it shall be subject to compliance with the requirements laid down in the relevant Joint Practice Notes and Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP). For example, the requirements of building set back, building separation and site coverage of greenery as stipulated in PNAP APP-152;
- (h) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that:
- (i) if any Food and Environmental Hygiene Department's (FEHD) facility is affected by the applied development, FEHD's prior consent must be obtained. Reprovisioning of the affected facilities by the applicant to the satisfaction of FEHD may be required. Besides, the applicant may be required to provide to FEHD sufficient amount of additional recurrent cost for management and maintenance of the reprovisioned facilities;
 - (ii) if FEHD is requested to take up management responsibility of new facilities (e.g. public toilets and refuse collection points), FEHD should be separately consulted. Prior consent from FEHD must be obtained and sufficient amount of recurrent cost may have to be provided to FEHD;
 - (iii) if provision of cleansing service for new roads, streets, cycle tracks, footpaths, paved areas etc, is required, FEHD should be separately consulted. Prior consent from FEHD must be obtained and sufficient amount of recurrent cost may have to be provided to FEHD;
 - (iv) no environmental nuisance should be generated to the surroundings by the applied development. For any waste generated from the operations and works for the applied development, the applicant should arrange the disposal properly at their own expenses;
 - (v) if the applied development will lead to significant population increase, sufficient amount of recurrent costs may have to be provided to FEHD in order to provide

various types of environmental hygiene services for increased population, such as inspection to food premises, hawker control, handling of complaints, etc.;

- (vi) if domestic waste collection service of FEHD is required in future, prior comments from FEHD on the waste collection plan, including the accessibility and manoeuvrability of refuse collection vehicle to refuse collection point, should be sought;
- (vii) 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 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
- (viii) proper licence/permit issued by FEHD is required if there is/are any food business/catering service/activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public:
 - 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 the FEHD in accordance with the Public Health and Municipal Services Ordinance (Cap. 132) shall be obtained. The application for licence, if acceptable by the FEHD, will be referred to relevant government departments such as BD, Fire Services Department and Planning Department 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;
 - 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 milk, frozen confections, non-bottled drinks, cut fruit etc. are to be sold,

relevant restricted food permits should be obtained;

- the operation of the eating place must not cause any environmental nuisance to the surrounding. The refuse generated by the proposed eating place are regarded as trade refuse. The management or owner of the site is responsible for its removal and disposal at their expenses. The operation of any business should not cause any obstruction or environmental nuisance in the vicinity; and
- (i) to note the comments of the Commissioner of Police that the applied development shall not cause traffic congestion and flooding.