

Government Departments' General Comments

1. Land Administration

Comments of the District Lands Officer/North, Lands Department (LandsD):

- no objection to the application;
- the application site (the Site) comprises Old Schedule Agricultural Lot No. 433 RP in D.D. 95 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 proposed ingress/egress of the Site is required to pass through Government land (GL). No right of access via GL is granted to the Site; and
- if the planning application is approved, the lot owners shall apply to this office for a Short Term Waiver (STW) (on whole lot basis) and Short Term Tenancy (STT) to permit the structure erected within the said private lot and the occupation of the GL. 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 structures will be considered.

2. Traffic

Comments of the Commissioner for Transport:

- no comment on the application.

Comments of the Chief Highway Engineer/New Territories East, Highways Department:

- no comment on the application;
- there is no planned road project involving the Site; and
- advisory comments are at **Appendix III**.

3. Fire Safety

Comments of the Director of Fire Services:

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

4. **Environment**

Comments of the Director of Environmental Protection:

- no adverse comment on the application from environmental planning perspective as the proposed use will not generate any heavy vehicles and the applicant has committed to properly follow the 'Code of Practice on Handling the Environmental Aspects of Temporary Use and Open Storage Sites';
- there was no environmental complaint related to the Site for the past three years; and
- advisory comments are at **Appendix III**.

5. **Building Matters**

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

- no objection to the application; and
- advisory comments are at **Appendix III**.

6. **Drainage**

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

- no objection to the application from public drainage viewpoint;
- the Site is in an area where DSD stormwater drain is available. The applicant shall submit and implement a drainage proposal for the Site to ensure that the proposed use will not cause adverse drainage impact on the adjacent area; and
- the Site is in an area where no public sewerage connection is available.

7. **Other Departments**

The following government departments have no objection to or no comment on the application and their advisory comments, if any, are provided at **Appendix III**:

- Project Manager (North), Civil Engineering and Development Department;
- Chief Engineer/Construction, Water Supplies Department;
- Director of Agriculture, Fisheries and Conservation;
- Director of Electrical and Mechanical Services;
- Commissioner of Police; and
- District Officer (North), Home Affairs Department.

Recommended Advisory Clauses

- (a) the applicant is reminded to resolve any land issues relating to the proposed use with the concerned owner(s) of the application site (the Site);
- (b) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (HyD) that:
 - (i) HyD is not/shall not be responsible for the maintenance of any access connecting the Site and the nearby public roads; and
 - (ii) adequate drainage measures should be provided to prevent surface water running from the Site to nearby public road and drains;
- (c) to note the comments of the Chief Engineer/Construction, Water Supplies Department (WSD) that:
 - (i) existing water mains within the Site may be affected (**Plan A-2**). The applicant is required to either divert or protect the water mains found at the Site;
 - (ii) if diversion is required, existing water mains within the Site are needed to be diverted outside the boundary of the Site to lie in Government land (GL). A strip of land of a minimum width of 1.5m should be provided for the diversion of existing water mains. The cost of diversion of existing water mains upon request by WSD will have to be borne by the applicant; and the applicant shall submit all the relevant proposal to WSD for consideration and agreement before the works commence; and
 - (iii) if diversion is not required, the following conditions shall apply:
 - (1) existing water mains are affected as indicated on **Plan A-2** and no development which requires resiting of water mains will be allowed;
 - (2) details of site formation works shall be submitted to the Director of Water Supplies (D of WS) for approval prior to commencement of works;
 - (3) no structures shall be built or materials stored within 1.5m from the centre line(s) of water main(s) shown on **Plan A-2**. Free access shall be made available at all times for staff of D of WS or their contractor to carry out construction, inspection, operation, maintenance and repair works;
 - (4) no trees or shrubs with penetrating roots may be planted within the Water Works Reserve or in the vicinity of the water main(s) shown on **Plan A-2**. No change of existing site condition may be undertaken within the aforesaid area without the prior agreement of D of WS. Rigid root barriers may be required if the clear distance between the proposed tree and the pipe is 2.5m or less, and the barrier must extend below the invert level of the pipe;

- (5) no planting or obstruction of any kind except turfing shall be permitted within the space of 1.5m around the cover of any valve or within a distance of 1m from any hydrant outlet; and
 - (6) tree planting may be prohibited in the event that D of WS considers that there is any likelihood of damage being caused to water mains;
- (d) 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 the 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 service requirements will be formulated upon receipt of the formal submission of general building plans; and
- (e) to note the comments of the Director of Environmental Protection that the applicant shall follow the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites';
- (f) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that:
- (i) it is noted that one structure is 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 (BA) should be obtained unless they are exempted building works or commenced under the simplified requirement under the Minor Works Control System. 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 comprises of private lots and adjoining GL, it is assumed that Short Term Tenancy (STT) would be applied in the future;
 - (iii) 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;
 - (iv) if 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;
 - (v) if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the BA, they are UBW under the BO and should not be designated for any proposed use under the application;

- (vi) 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;
- (vii) all existing building works erected on unleased GL (i.e. before the grant of the proposed STTs) do not come under the control of the BO and are not unauthorised for the purpose of the BO. The granting of the STT should not be construed as an acceptance of any existing building works under the BO;
- (viii) the applicant's attention is also drawn to the provision under regulations 40, 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;
- (ix) 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
- (x) detailed checking under the BO will be carried out at building plan submission stage.

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

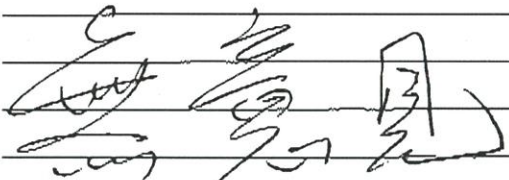
By Fax : 2877 0245 or 2522 8426

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-KTS/577

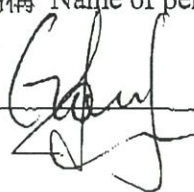
意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)



「提意見人」姓名/名稱 Name of person/company making this comment 侯志強議員

簽署 Signature



日期 Date 2026.5.28

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年06月08日星期一 23:53
收件者: tpbpd/PLAND
主旨: A/NE-KTS/577 DD 95 Kwu Tung South
類別: Internet Email

A/NE-KTS/577

Lot 433 RP (Part) in D.D. 95 and Adjoining Government Land, Kwu Tung South

Site area: About 240sq.m (Includes Government Land of about 25sq m)

Zoning: "GIC" and area shown as 'Road'

Applied use: Shop and Services

Dear TPB Members,

Strong Objections. No previous history of approvals but this is an existing operation for which a number of trees were felled.

3. *The proposed development involves constructing a simple temporary covered structure (temporary materials include **iron/wall panels/corrugated concrete/aluminum frames, etc.**) on the site. It does not involve large-scale infrastructure projects; it is solely for temporary shops and service industries, selling daily necessities, providing grocery retail, or real estate agency services.*

So in other words, a shack. This is the type of third world structure that defines the NT. The incoming 'international talents' will be very impressed when they rent accommodation at one of the nearby residential estates.

The land use contrary to the applicant's does not conform with planning intention of GIC.

The application should be rejected.

Mary Mulvihill

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年06月09日星期二 0:03
收件者: tpbpd/PLAND
主旨: Re: A/NE-KTS/577 DD 95 Kwu Tung South
類別: Internet Email

In addition, any store selling food and drinks should have a sink and running water in order to provide the most minimal hygiene conditions.

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Monday, 8 June 2026 11:53 PM HKT
Subject: A/NE-KTS/577 DD 95 Kwu Tung South

A/NE-KTS/577

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