

Government Departments' General Comments

1. Land Administration

Comments of the District Lands Officer/Yuen Long, Lands Department:

- no adverse comment on the application;
- the application site (the Site) comprises Government Land (GL) and an Old Schedule Agricultural Lot 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;
- no permission is given for occupation of GL (about 2m² as mentioned in the applicant's submission) included in the Site. Any occupation of GL without Government's prior approval is an offence under the Land (Miscellaneous Provisions) Ordinance (Cap. 28);
- there is no Small House application approved or under processing at the Site; and
- advisory comments are at **Appendix III**.

2. Traffic

Comments of the Commissioner for Transport:

- no adverse comment on the application from traffic engineering perspective; and
- advisory comments are at **Appendix III**.

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

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

3. Drainage

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

- no in-principle objection to the application from drainage point of view;
- should the application be approved, approval conditions should be stipulated requiring the submission of a revised drainage proposal and the implementation and maintenance of the proposed drainage facilities to the Director of Drainage Services' or the Town Planning Board's satisfaction; and
- advisory comments are at **Appendix III**.

4. **Environment**

Comments of the Director of Environmental Protection:

- no objection to the application from environmental planning perspective;
- based on the applicant's submission, the applied use would not cause traffic of heavy vehicle and dusty operation. According to his review, there are residential structures within 100m from the boundary of the Site;
- there was no environmental complaint received against the Site in the past three years; and
- advisory comments are at **Appendix III**.

5. **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 his satisfaction; and
- advisory comments are at **Appendix III**.

6. **Landscape Aspect**

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

- no adverse comment on the application from landscape planning perspective;
- based on the aerial photo, the Site is located in an area of miscellaneous rural fringe landscape character comprising open storage sites, warehouses, village houses, comprehensive development areas and tree clusters. The applied use is considered not entirely incompatible with the landscape setting in the proximity;
- with reference to the aerial photo and site photos, the Site is largely formed and several temporary structures/containers are found. No trees are observed within the Site. According to the applicant's submission, no tree felling will be involved; and
- in view of the above, significant adverse landscape impact arising from the applied use is not anticipated.

7. **Nature Conservation**

Comments of the Director of Agriculture, Fisheries and Conservation:

- as the Site falls within the "Village Type Development" zone and has been paved, he has no comment on the application from nature conservation perspective.

8. 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 III**.

9. District Officer's Comments

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

- his office has not received any comment from the locals on the application.

10. Other Departments

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

- Project Manager (West), Civil Engineering and Development Department;
- Chief Engineer/Construction, Water Supplies Department; and
- Director of Electrical and Mechanical Services.

Recommended Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at 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 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 resolve any land issues relating to the applied use with the concerned owner(s) and/or occupant(s);
- (d) to note the comments of the District Lands Officer/Yuen Long, Lands Department (LandsD) that the lot owner(s) shall apply to his office for a Short Term Waiver (STW) and a Short Term Tenancy (STT) to permit the structure(s) erected within the private lot and the occupation of the Government land (GL) covered by the application. 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 applied use is temporary in nature, only erection of temporary structure(s) will be considered;
- (e) 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;
- (f) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (HyD) that:
 - (i) the Site involves GL, which is not under HyD's maintenance purview;
 - (ii) HyD shall not be responsible for the maintenance of the proposed access connecting the Site and Sha Po Tsuen Road, including any local tracks; and
 - (iii) adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains;

- (g) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department that:
 - (i) the applicant shall be liable for any adverse drainage impact due to the applied use;
 - (ii) the current drainage proposal still requires refinement to meet the necessary requirements; and
 - (iii) to encourage a higher quality submission and avoid rounds of comments, thereby shortening the processing time, the applicant shall complete the checklist previously provided in preparing the drainage proposal and include the checklist in the submission. Otherwise, a longer processing time may be required;
- (h) to note the comments of the Director of Environmental Protection that:
 - (i) the applicant shall ensure musical instruments, public announcement system, portable loud speaker or any form of audio amplification system will only be allowed to be used within the Site during occasionally held events in consultation with nearby villagers;
 - (ii) the applicant shall follow the revised 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites';
 - (iii) the applicant shall follow the 'Noise Control Guidelines for Music, Singing and Instrument Performing Activities' issued by his Department to minimise potential noise impact from outdoor activities;
 - (iv) 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';
 - (v) the applicant shall provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the applied use; and
 - (vi) the applicant shall meet the statutory requirements under relevant environmental legislation;
- (i) 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 the nature of occupancy. The location of the proposed FSIs to be installed should be clearly marked on the layout plans; and
 - (ii) if the applied 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; and

- (j) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department that:
- (i) it is noted that nine structures are applied 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, otherwise they are unauthorized building works (UBW) under BO. An Authorized Person should be appointed as the co-ordinator for the applied building works in accordance with 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 a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of B(P)R at building plan submission stage;
 - (iv) if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of BA, they are UBW under BO and should not be designated for any applied use under the captioned application;
 - (v) 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 BO;
 - (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 B(P)R; and
 - (vii) detailed checking under BO will be carried out at building plan submission stage.

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寄件日期: 2026年06月28日星期日 1:02
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主旨: A/YL-KTN/1240 Sha Po Tsuen Fa Pau Society
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A/YL-KTN/1240 Sha Po Tsuen Fa Pau Society

Lot 1634 RP (Part) in D.D. 107 and Adjoining Government Land, Sha Po Tsuen, Kam Tin North

Site area: About 428sq.m (Includes Government Land of about 2sq.m)

Zoning: "VTD"

Applied use: Place of Recreation, Sports or Culture / 1 Vehicle Parking / 5 Years

Dear TPB Members,

The application is essentially to legitimize an existing village cultural programme.

Presumably it has operated for years without having to provide basic fire prevention equipment.

Mary Mulvihill