

**Similar s.16 Applications within the same “Agriculture” Zone
on the OZP in the Vicinity of the Application Site (the Site) in the Past 5 Years**

Approved Applications

Application No.	Use(s)/Development(s)	Date of Consideration (Rural and New Town Planning Committee (RNTPC))
A/YL-SK/318	Proposed Temporary Shop and Services for a Period of 3 Years and Land Filling	26.11.2021 (Revoked on 26.5.2023)
A/YL-SK/348	Temporary Shop and Services with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land	8.12.2023 (Revoked on 8.9.2024)
A/YL-SK/392	Proposed Temporary Shop and Services for a Period of 3 Years and Associated Filling of Land	20.12.2024
A/YL-SK/404	Proposed Temporary Shop and Services with Ancillary Workshop for a Period of 3 Years and Associated Filling of Land	28.2.2025
A/YL-SK/416	Temporary Shop and Services with Ancillary Workshop and Associated Filling of Land for a Period of 3 Years	20.6.2025

Government Departments' General Comments

1. Traffic

Comments of the Commissioner for Transport:

- no comment on the application from traffic engineering perspective; and
- advisory comments are in **Appendix IV**.

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

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

2. Drainage

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

- no objection in principle to the proposed use from public drainage point of view provided that all existing drains/watercourse should be maintained and the overland flow from adjacent lands should not be affected;
- should the application be approved, approval conditions should be stipulated requiring the submission of a 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 in **Appendix IV**.

3. Fire Safety

Comments of the Director of Fire Services:

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

4. Environment

Comments of the Director of Environmental Protection:

- no objection to the application from environmental planning perspective;
- based on the applicant's submission, there are residential dwellings located within 100m from the boundary of the application site (the Site). The proposed use would not generate traffic of heavy vehicles nor involve dusty operation;

- there was no substantial environmental complaint concerning the Site received 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:

- no adverse comments on the application from landscape planning perspective;
- with reference to site photos, the Site was formed without any vegetation. There is no distinctive landscape character/resources or mature trees within the Site and 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; and
- advisory comments are in **Appendix IV**.

7. **District Officer's Comments**

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

- no particular comment on the application; and
- his office has not received any comments from the locals upon close of consultation.

8. **Other Departments**

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

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

Recommended Advisory Clauses

- (a) 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;
- (b) failure to reinstate the Site as required under the relevant approval condition upon expiry of the planning permission might constitute an unauthorised development under the Town Planning Ordinance and be subject to enforcement and prosecution actions;
- (c) 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(s) (STWs) to permit the structure(s) erected within the said private lot. The application for STWs will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The application, 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 proposed uses are temporary in nature, only erection of temporary structures(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 (TD). 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 Highway Engineer/New Territories West, Highways Department (HyD) that:
 - (i) the proposed access arrangement of the Site should be commented and approved by TD;
 - (ii) HyD shall not be responsible for the maintenance of the proposed access connecting the Site and Nam Hing West Road;
 - (iii) if the proposed access at Nam Hing West Road is approved by TD, the applicant should ensure a run-in/out is constructed in accordance with the latest version of HyD Standard Drawings no. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement; and

- (iv) 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 Environmental Protection (DEP) that:
 - (i) the applicant shall follow the latest “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 ProPECC PN 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;
- (g) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (DSD) that:
 - (i) there is an existing DSD’s 300mm u-channel located adjacent to the eastern side of the Site. The proposed use shall not cause any adverse drainage/structural impact on the above drainage system during both the construction and operation stages; and
 - (ii) 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 the 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 Fire Services (D of FS) 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;
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that:

- (i) it is noted that one structure and associated filling of land 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 (BA) should be obtained, otherwise they are unauthorised building works (UBW) under the Building Ordinance (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) if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval from BA, they are UBW under the BO and should not be designated for any proposed use under the 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 the 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 the B(P)R; and
 - (vii) detailed checking under the BO will be carried out at building plan submission stage; and
- (j) 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 applicant or parties concerned with planning, designing, organising and supervising any activity near the underground cable or overhead line under the mentioned document should approach the electricity supplier (i.e. CLP) 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. The applicant shall also 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.



嘉道理農場暨植物園公司
Kadoorie Farm & Botanic Garden Corporation

The Secretary,
Town Planning Board,
15/F, North Point Government Offices,
333, Java Road, North Point,
Hong Kong.
(Email: tpbpd@pland.gov.hk)



15th June, 2026.

By email only

Dear Sir/ Madam,

**Proposed Temporary Shop and Services and Associated Filling of Land for a Period
of 3 Years
(A/YL-SK/457)**

1. We refer to the captioned.
2. There is a rejected application adjacent to the current application site and the reasons for rejection of this application (A/YL-SK/413; Proposed Temporary Warehouse (excluding Dangerous Goods Godown) and Associated Filling of Land for a Period of 3 Years) are shown below.

(a) the proposed use with associated filling of land is not in line with the planning intention of the "Agriculture" zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis; and

(b) the proposed use with associated filling of land is not compatible with the surrounding land uses.

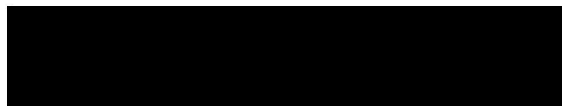
3. We urge the Board to reject this application as it is not in line with the planning intention of the Agriculture zone. If the Board decides to approve the application, we would also like the Board to consider whether the site needs to be reinstated after the planning permission



expires and, if so, whether this should be set as an approval condition.

4. Thank you for your attention.

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden



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A/YL-SK.457

Lot 439 RP (Part) in D.D. 112, Shek Kong

Site area: About 260sq.m

Zoning: "Agriculture"

Applied use: Shop & Services

Dear TPB Members,

Another RE agency, the favourite entry point for approval of transformation of small Agriculture lots into brownfield operations. Note no parking even though the location is not exactly high street.

Will no doubt be approved and back in two years for failure to implement conditions.

Mary Mulvihill