

Previous S.16 Application covering the Application Site

Approved Application

Application No.	Uses/Development	Date of Consideration
A/HSK/475	Proposed Temporary Shop and Services with Ancillary Facilities for a Period of 5 Years	25.8.2023 (Revoked on 25.2.2026)

Similar S.16 Applications within the subject “Village Type Development” Zone on the Hung Shui Kiu & Ha Tsuen Outline Zoning Plan in the Past Five Years

Approved Applications

Application No.	Uses/Development	Date of Consideration
A/HSK/425	Proposed Temporary Shop and Services for a Period of 5 Years	13.1.2023 (Revoked on 13.10.2025)
A/HSK/589	Temporary Shop and Services for a Period of 5 Years	9.1.2026

Government Departments' General Comments

1. Traffic

- (a) Comments of the Commissioner for Transport:

No adverse comment on the application from traffic engineering perspective.

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

No objection to the application from highway maintenance point of view.

2. Drainage

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

- no in-principle objection to the application from drainage point of view; and
- should the application be approved, a condition should be stipulated requiring the applicant to submit a revised drainage proposal, to implement and maintain the proposed drainage facilities to his satisfaction.

3. Environment

Comments of the Director of Environmental Protection:

- no objection to the application; and
- there was no environmental complaint pertaining to the application site (the Site) received in the past three years.

4. Fire Safety

Comments of the Director of Fire Services:

- no in-principle objection to the application subject to the fire service installations (FSIs) and water supplies for firefighting being provided on the Site; and
- in consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicant is required to submit relevant layout plans incorporated with the revised FSIs to his department for approval.

5. Building Matters

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

- no objection to the application under the Buildings Ordinance; and

- there is no record of approval granted by the Building Authority for the existing structures at the Site.

6. Long-term Development

Comments of the Project Manager (West), Civil Engineering and Development Department (CEDD):

- no comment on the application; and
- there is no completed works or planned works near the Site.

7. District Officer's Comments

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

- no comment from departmental point of view; and
- his office has not received any comment from the locals on the application.

8. Other Departments' Comments

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

- Chief Engineer/Construction, Water Supplies Department; and
- Commissioner of Police.

Recommended Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the development on the application site (the Site);
- (b) to resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (c) Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the lot owner(s) shall apply to his office for Short Term Waivers (STWs) to permit the structure(s) erected within the said private lots. 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 STWs, 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 applied use is temporary in nature, only erection of temporary structure(s) will be considered;
- (d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
 - the access road from Tin Ha Road to the Site is maintained by HyD. However, if vehicular access is required for accessing the Site from Tin Ha Road, the access should be constructed and maintained by the applicant. The access should be removed and the public road should be reinstated to the satisfaction of HyD after the use of Site; and
 - adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (e) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - the proposed drainage works, whether within or outside the lot boundary, should be constructed and maintained by the lot owner at his expense;
 - the existing drainage system proposed for discharge of the runoff from the Site is not maintained by DSD. Consent from the owner/maintenance party, users of this drainage system and District Officer/Yuen Long (DO/YL) should be sought for the proposed drainage connection. Moreover, the applicant should ensure that this drainage system and the existing downstream drains/channels have adequate capacity to convey the additional runoff from the Site. In addition, regular maintenance should be carried out by the lot owner/developer to avoid blockage of drain;
 - the applicant/owner should be reminded that their drainage facilities shall be properly designed, constructed and maintained in good condition without causing adverse drainage impact to the adjacent area at all times, and the applicant is required to rectify/modify the drainage systems if they are found to be inadequate or ineffective to accommodate the additional runoff arisen from the application. The applicant/owner shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure or ineffectiveness of the drainage systems caused by their application;
 - for works to be undertaken outside the lot boundary, prior consent and agreement from DLO/YL, DO/YL, HAD and/or relevant private lot owners should be sought;
 - the applicant/owner should take all precautionary measures to prevent any disturbance, damage and pollution from the development to any parts of the existing drainage facilities

in the vicinity of the lot. In the event of any damage to the existing drainage facilities, the lot owner/developer would be held responsible for the cost of all necessary repair works, compensation and any other consequences arising therefrom;

- a minimum soil cover of 450mm and 900mm should be provided for the connection pipe constructed under footpath and carriageway respectively;
- the lot owner/developer should also be advised that the limited desk-top checking by Government on the drainage proposal covers only the fundamental aspects of the drainage design which will by no means relieve his obligations to ensure that (i) the proposed drainage works will not cause any adverse drainage or environmental impacts in the vicinity; and (ii) the proposed drainage works and the downstream drainage systems have the adequate capacity and are in good conditions to receive the flows collected from his lot;
- the applicant should check and ensure the hydraulic capacity of the existing drainage facilities would not be adversely affected by the captioned development; and
- consideration should be given to provide grating for the surface channels;

(f) to note the comments of the Director of Fire Services that:

- the layout plans should be drawn to scale and depicted with dimensions and the nature of occupancy;
- the location of the proposed fire service installations to be installed should be clearly marked on the layout plans; and
- if the proposed structure(s) are required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire safety requirements will be formulated upon receipt of the formal submission of general building plans;

(g) to note the comments of the Director of Environmental Protection that the applicant is advised:

- to follow the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites”; and
- to meet the statutory requirements under relevant environmental legislation; and

(h) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:

- 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 BO. An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
- 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;

- 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 the Regulation 19(3) of the B(P)R at building plan submission stage;
- 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 applied use under the application;
- 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 building works or UBW on the Site under the BO;
- 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
- detailed checking under the BO will be carried out at building plan submission stage.

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tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年08月17日星期一 1:01
收件者: tpbpd/PLAND
主旨: A/HSK/624 DD 125 San Uk Tsuen, Ha Tsuen

類別: Internet Email

A/HSK/624
Lot 1580 RP (Part) in D.D. 125, San UK Tsuen, Ha Tsuen
Site area: About 93sq.m
Zoning: "VTD"
Applied use: Real Estate Agency / **5 Years**

Dear TPB Members,

475 was approved 25 Aug 2023 and revoked 25 Feb 2026.

This is a very small site, there is no reasonable excuse for failure to implement conditions.

If approval is rolled over by the ever generous members then it should be FOR ONE YEAR ONLY in order to focus minds.

In the aftermath of the Yai Po fire and the revelations during the inquiry, the community is no longer willing to tolerate the previous lax attitude of both govt depts and TPB members when it comes to complying with regulations.

Mary Mulvihill