Appendix II of RNTPC
Paper No. A/I-TCV/31A

Similar s.16 Application for Temporary Shop and Services within "Village Type Development" Zone in the vicinity of the Application Site in the past 5 years

Approved Application

	Application No.	Applied Use(s)	Date of Consideration
1.	A/I-TCV/20	Temporary Shop and Services (Vegetable and Grocery Store) with Ancillary Office and Storage Uses for a Period of 3 Years	14.10.2022
2.	A/I-TCV/30	Temporary Shop and Services (Vegetable and Grocery Store) with Ancillary Office and Storage Use for a Period of 3 Years	8.5.2026

Government Departments' Comments

1. Land Administration

Comments of the District Lands Officer/Islands, Lands Department (DLO/Is, LandsD):

(a) the Site falls within Lot No. 1359 R.P. in D.D. 1 TC ("the Lot") which is 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. If any structure(s) is /are to be erected on the Lot, LandsD's prior approval must be obtained by the lot owner;

the Lot is in close proximity to a land allocation to Civil Engineering and Development Department (CEDD) for Sewerage Works. The applicant is reminded to make proper arrangement with CEDD prior to commencement of works to avoid encroachment issues;

(b) the Site is not covered by any Short Term Waiver/Short Term Tenancy;

(c) no complaint concerning the Site has been received by this office and no enforcement action has been taken/will be taken against the Site;

(d) the subject application would not affect any outstanding/approved SH application; and

(e) the applicant should note her advisory comments as detailed in **Appendix IV**.

2. Buildings

Comments of the Chief Building Surveyor/ New Territories East (1) and Licensing Section, Buildings Department (CBS/NTE1&L, BD):

(a) no in-principle objection under the Buildings Ordinance to the proposed use on the application site; and

(b) the applicant should note his advisory comments as detailed in **Appendix IV**.

3. Traffic

Comments of the Commissioner for Transport (C for T):

(a) Currently the subject site does not locate on or adjacent to any public roads managed by her department. C for T is not in a position to offer comment on the application from traffic engineering point of view in this context; and

(b) the applicant should note her advisory comments as detailed in **Appendix IV**.

4. Environment

Comments of the Director of Environmental Protection (DEP):

(a) no objection to the application and adverse environmental impact arising from the proposed development is not anticipated; and

(b) the applicant should note his advisory comments as detailed in **Appendix IV.**

5. Drainage

Comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department (CHE/HK&Is, DSD):

(a) no in-principle objection to the proposed development from the 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;

(b) should the application be approved by the Board, approval conditions requiring the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the Board should be stipulated; and

(c) the applicant should note his advisory comments as detailed in **Appendix IV**.

6. Urban Design and Landscape

Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

Urban Design and Visual

(a) no comment on this application;

Landscape

(b) no adverse comments on the subject application;

(c) according to the aerial photo taken in 2025, the Site was situated in an area of miscellaneous rural fringe landscapes characterised by tree clusters, village houses and temporary structures;

(d) as noted from the above aerial photo and the site photos taken on 7.10.2026, some vegetation patches were observed on the site periphery. According to the Application Form and the Revised Layout Plan (Figure 3a) submitted in the FIs, no tree felling will be involved for the proposed use and the layout is not in conflict with the vegetation patches;

(e) in view of the above, no significant adverse landscape impact arising from the proposed use is anticipated; and

(d) the applicant should note her advisory comments as detailed in **Appendix IV**.

7. Fire Safety

Comments of the Director of Fire Services (D of FS):

(a) no objection in principle to the application subject to fire service installations (FSIs) and water supplies for firefighting being provided to his satisfaction; and

(b) the applicant should note his advisory comments as detailed in **Appendix IV**.

8. Food and Environmental Hygiene

Comments of the Director of Food and Environmental Hygiene (DFEH):

(a) The proposed temporary use shall not cause any environmental nuisance, pest infestation and obstruction or any adverse impact on the surroundings; and

(b) The applicant should be advised that trade waste delivered to the refuse collection point(s) under the FEHD's management shall not exceed 100 litres in capacity. For disposal of chemical waste, construction waste, dangerous waste or trade waste exceeding 100 litres in capacity, the applicant shall arrange direct disposal to the treatment facility/ refuse transfer station under the management of the Environmental Protection Department at their own expenses.

9. District Officer's Comments

Comments of the District Officer/Islands, Home Affairs Department:

(a) no specific comment for the application; and

(b) the applicant should note his advisory comments as detailed in **Appendix IV**.

10. <u>Other Departments</u>

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

(a) Chief Highway Engineer/New Territories East, Highways Department;
(b) Chief Engineer/Construction, Water Supplies Department;
(c) Commissioner of Police;
(d) Director of Agriculture, Fisheries and Conservation;
(e) Director of Electrical and Mechanical Services;
(f) Director of Leisure and Cultural Services;
(g) Head of Geotechnical Engineering Office, Civil Engineering and Development Department; and
(h) Project Manager (South and Sustainable Lantau), Civil Engineering and Development Department.

Appendix IV of RNTPC
Paper No. A/I-TCV/31A

Recommended Advisory Clauses

1. to note the comment of the District Lands Officer/Islands, Lands Department (DLO/Is, LandsD) that if the planning application is approved, the lot owner(s) shall apply to LandsD for a Short Term Waiver (STW) to permit the proposed structure within the Lot. The application for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STW, 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 use is temporary in nature, only erection of temporary structure will be considered.

2. to note the comment of the Chief Building Surveyor/ New Territories East (1) and Licensing Section, Buildings Department (CBS/NTE1&L, BD) that:

   (a) if the existing structures are erected on leased land without approval of the BD (not being a New Territories Exempted House), they are unauthorized under the Buildings Ordinance (BO) and should not be designated for any approved use under the planning application;

   (b) before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the application site, the prior approval and consent of the BD should be obtained, otherwise they are Unauthorized Building Works (UBW). An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO;

   (c) for UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with BD's 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 application site under the BO;

   (d) if the proposed use under application is subject to the issue of a licence, please be reminded that any existing structures on the application site intended to be used for such purposes are required to comply with the

building safety and other relevant requirements as may be imposed by the licensing authority;

(e) in connection with (b) above, 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;

(f) 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; and

(g) detailed comments under the BO on individual sites for a private development such as permissible plot ratio, site coverage, means of escape, fire resisting construction, emergency vehicular access, private streets and/or access roads, etc. will be formulated at the building plan submission stage.

3. to note the comment of the Director of Environmental Protection that:

(a) the applicant should be reminded that the design and construction of the septic tank and soakaway system shall follow the requirements of EPD's Practice Note for Professional Person (ProPECC) PN 1/23 and are duly certified by an Authorized Person/Registered Structural Engineer/ Registered Professional Engineer (AP) upon completion of construction; and

(b) the applicant should be reminded to incorporate the relevant environmental pollution control clauses in the construction contract so as to minimise the environmental impacts and nuisance to nearby sensitive receivers during construction stage. A full set of "Recommended Pollution Control Clauses for Construction Contracts" is available at the EPD website: https://www.epd.gov.hk/epd/english/environmentinhk/eia_planning/guide_ref/rpc.html

4. to note the comments of the Chief Engineer/Hong Kong and Islands, Drainage Services Department (CE/HK&I, DSD) that the applicant is responsible for the design, construction and maintenance of the proposed site stormwater drainage.

The applicant shall ensure that the site stormwater drainage system functions properly so as not to increase the flooding risk to the Site as well as lands in the vicinity.

5. to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that the applicant should be advised that approval of the application does not imply approval of tree works such as pruning, transplanting and felling. Application for any tree works should be submitted to relevant departments for approval.

6. to note the comment of the Director of Fire Services that:

   (a) in consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to this Department for approval. In addition, the applicant should also be advised as follows:

      (i) the layout plans should be drawn to scale and depicted with dimensions and the nature of occupancy;

      (ii) the location of the proposed FSIs to be installed should be clearly marked on the layout plans.; and

   (b) the applicant is reminded that if the proposed structures are required to comply with the Buildings Ordinance (Cap. 123), detailed fire safety requirements will be formulated upon receipt of the formal submission of general building plans.

7. to note the comment of Project Manager (South and Sustainable Lantau), Civil Engineering and Development Department that:

   (a) The subject site is adjacent to C6 and C11 under the Tung Chung New Town Extension Project. The applicant shall coordinate and agree with the Contactors and the Project Manager of C6 and C11 regarding interfaces, vehicular traffic and pedestrian flow and movement, other site matters relating to the business and operations of the proposed temporary shop and etc. before and during the construction stage of the proposed temporary shop;

(b) Please ensure no drainage or water from the proposed application site is allowed to be discharged to or via the site of C6 and C11.

(c) Please ensure no existing access in Shek Lau Po in the vicinity of C6 and C11 will be temporarily or permanently will be blocked by the proposed temporary shop or its use.

8. to note the comment of the Commissioner for Transport that, for the possible connection of vehicular access to the future public road, the applicant should seek advice from the project proponent of relevant road works.

9. to note the comment of the District Officer/Islands, Home Affairs Department (HAD) that HAD will not take up the management and maintenance responsibility of any drainage facilities, concrete structure, access roads, staircases and pavilions, or any other facilities constructed / improved by the developer.

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號 **Reference Number:**	260717-232821-25500
提交限期 **Deadline for submission:**	17/07/2026
提交日期及時間 **Date and time of submission:**	17/07/2026 23:28:21
有關的規劃申請編號 **The application no. to which the comment relates:**	A/I-TCV/31
「提意見人」姓名/名稱 **Name of person making this comment:**	先生 Mr. 李

意見詳情
Details of the Comment :

改變土地用途後影響附近地貌，破壞自然排水系統，導致附近地表水浸。影響自然景觀及生態平衡。
對附近居民帶來滋擾，車輛出入帶來聲音及空氣污染。
引來非居民的出入人流，衍生治安問題。
往往申請人取得批准後進行違法發展，有關當局經常缺乏監管，變相鼓勵申請人胡亂使用，倒不如保持現狀。