Appendix II of RNTPC
Paper No. A/NE-KTS/585

Previous s.16 Applications covering the Application Site

Approved Applications

No.	Application No.	Proposed Use(s)/Development(s)	Date of Consideration (RNTPC)
1.	A/NE-KTS/307	Proposed Temporary Private Swimming Pool for a Permitted House (New Territories Exempted House (NTEH) – Small House) for a Period of 3 Years	15.4.2011
2.	A/NE-KTS/363	Renewal of Planning Approval for Temporary Private Swimming Pool for a Permitted House (NTEH – Small House) for a Period of 3 Years	4.4.2014 (Expired on 16.4.2017)
3.	A/NE-KTS/459	Temporary Private Swimming Pool and Private Garden for a Permitted House (NTEH – Small House) for a Period of 3 Years	21.12.2018 (Expired on 22.12.2021)

Appendix III of RNTPC
Paper No. A/NE-KTS/585

Similar s.16 Applications within the same "Agriculture" Zone in the Vicinity of the Application Site

Approved Applications

No.	Application No.	Use(s)/Development(s)	Date of Consideration (RNTPC)
1.	A/NE-KTS/318(1)	Proposed Temporary Private Swimming Pool, Private Garden and Private Car Parking Spaces for a Permitted House (New Territories Exempted House (NTEH) – Small House) for a Period of 3 Years	30.3.2012 (Expired on 31.3.2015)
2.	A/NE-KTS/319(2)	Proposed Temporary Private Swimming Pool and Private Garden for a Permitted House (NTEH – Small House) for a Period of 3 Years	30.3.2012
3.	A/NE-KTS/391(2)	Renewal of Planning Approval for Temporary Private Swimming Pool and Private Garden for a Permitted House (NTEH – Small House) for a Period of 3 Years	27.3.2015 (Expired on 31.3.2018)
4.	A/NE-KTS/393(1)	Temporary Private Swimming Pool for a Permitted House (NTEH – Small House) for a Period of 3 Years	17.4.2015 (Expired on 18.4.2018)
5.	A/NE-KTS/463(2)	Temporary Private Swimming Pool and Private Garden for a Permitted House (NTEH – Small House) for a Period of 3 Years	4.1.2019 (Expired on 5.1.2022)
6.	A/NE-KTS/464(1)	Temporary Private Swimming Pool and Private Garden for a Permitted House (NTEH – Small House) for a Period of 3 Years	4.1.2019 (Expired on 5.1.2022)

Remarks

(1) The applications No. A/NE-KTS/318, 393 and 464 involve the same site.

(2) The applications No. A/NE-KTS/319, 391 and 463 involve the same site.

Government Departments' General Comments

1. Traffic

Comments of the Commissioner for Transport:

- no comment on the application; and
- advisory comments are at **Appendix V**.

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

- no comment on the application; and
- advisory comments are at **Appendix V**.

2. Environment

Comments of the Director of Environmental Protection:

- no adverse comment on the application from environmental planning perspective;
- according to the applicant's submission, (i) there will be no back wash process and no backwash effluent will be produced at the application site (the Site) since the filters of the swimming pool will not be reused and will be replaced when necessary; (ii) the applicant has committed to complying with the requirements stipulated in the Water Pollution Control Ordinance for any discharge arising from the operation of the swimming pool; and (iii) the applicant has committed to following on 'Code of Practice on Handling of Environmental Aspects of Temporary Uses and Open Storage Sites';
- there was no environmental complaint related to the Site for the past three years; and
- advisory comments are at **Appendix V**.

3. Drainage

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

- no objection in principle from a drainage point of view;
- according to the applicant's submission, the existing drainage facilities which was implemented under an approved application No. A/NE-KTS/459 will be maintained for the subject development;
- should the application be approved, an approval condition should be stipulated in the approval letter requiring the applicant to maintain the existing drainage facilities and submit a revised condition record of the existing drainage facilities to the satisfaction of the Director of Drainage Services or of Town Planning Board; and
- advisory comments are at **Appendix V**.

4. Landscape

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 taken in February 2024, the Site is situated in an area of rural inland plain landscape character comprising village houses, open storage sites/warehouses, farmlands, tree clusters and Sheung Yue River. The applied temporary uses are considered not entirely incompatible with the landscape setting in the proximity;
- with reference to the above aerial photo and site photos taken on 9.10.2026, the Site is paved. A swimming pool and a garden are found on it. Some trees and some potted plants in fair/poor conditions are observed within the Site. According to the Application Form and justifications provided, no tree felling will be involved and the existing trees and plants are well maintained;
- in view of the above, significant adverse landscape impact arising from the applied uses is not anticipated; and
- advisory comments are at **Appendix V**.

5. Building Matters

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

- no objection to the application; and
- please note that the Building Authority has acknowledged the completion of the buildings works for a swimming pool and filtration plant area at the Site as per approved plan dated 31.1.2013 on 10.10.2013.

6. Agriculture

Comments of the Director of Agriculture, Fisheries and Conservation:

- no strong views on the application from agricultural point of view; and
- the Site is currently occupied as private yard with low potential for agricultural rehabilitation.

7. Fire Safety

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

- no objection in principle to the proposal subject to fire service installations and water supplies for firefighting being provided to the satisfaction of the D of FS; and
- advisory comments are at **Appendix V**.

8. Water Supply

Comments of the Chief Engineer/Construction, Water Supplies Department:

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

9. Other Departments

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

- Project Manager (North), Civil Engineering and Development Department;
- Director of Electrical and Mechanical Services;
- Commissioner of Police; and
- District Officer (North), Home Affairs Department.

Recommended Advisory Clauses

(a) prior planning permission should have been obtained before commencing the applied uses at the application site (the Site);

(b) failure to reinstate the Site as required under the relevant approval condition upon expiry of the planning permission might constitute an unauthorized development under the Town Planning Ordinance and be subject to enforcement and prosecution actions;

(c) to note the comments of the District Lands Officer/North, Lands Department (LandsD) that:

  (i) there are unauthorised structures on Lot No. 839 RP in D.D. 100 at the Site. The lot owner should immediately rectify the lease breaches and his office reserves the rights to take necessary lease enforcement action against the breaches without further notice; and

  (ii) subject to the approval of the Town Planning Board to the planning application which shall have reflected the rectification as aforesaid required, the lot owner shall apply to his office for a Short Term Waiver (STW) to permit the proposed structures. 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 on whole lot basis and subject to such terms and conditions including the payment of waiver fee and administrative fee as considered appropriate to be imposed by LandsD. In addition, LandsD reserves the right to take enforcement action against the lot owner for any breach of the lease conditions, including the breaches already in existence or to be detected at any point of time in future. Besides, given the proposed use is temporary in nature, only erection of temporary structures will be considered;

(d) to note the comments of the Commissioner for Transport that the local village access road leading to the Site from Hang Tau Road is not managed by the Transport Department;

(e) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (HyD) that access connecting the Site to Hang Tau Road is not maintained by HyD;

(f) to note the comments of the Director of Environmental Protection that:

  (i) there shall be no back wash process and no backwash effluent produced at the Site since the filters of the swimming pool will not be reused and will be replaced when necessary as committed by the applicant;

  (ii) the applicant is reminded to comply with the requirements stipulated in the Water Pollution Control Ordinance for any discharge arising from the operation of the swimming pool; and

  (iii) the applicant is advised to follow the 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites';

(g) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department that the required condition record should include coloured photos showing the current condition of the drainage facilities and a layout plan indicating the locations of the photos

taken. The submitted photos should cover drainage facilities, including but not limited to, surface channels, catchpits, sand traps and discharge path as indicated on the drainage plan approved under application No. A/NE-KTS/459;

(h) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department 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;

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

(i) the applicant is advised to 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 (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 Engineer/Construction, Water Supplies Department (WSD) that:

(i) existing water mains inside the Site may be affected (**Plan A-2** of the RNTPC Paper). The applicant is required to either divert or protect the water mains found on Site;

(ii) if diversion is required, existing water mains inside 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 1.5m in width 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;

(iii) if diversion is not required, the following conditions shall apply:

(a) existing water mains are affected as indicated on the site plan (**Plan A-2** of the RNTPC Paper) and no development which requires resiting of water mains will be allowed;

(b) details of site formation works shall be submitted to the Director of Water Supplies (D of WS) for approval prior to commencement of works;

(c) no structures shall be built or materials stored within 1.5m from the centre line(s) of water main(s) shown on the plan (**Plan A-2** of the RNTPC Paper). 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;

(d) 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 the plan (**Plan A-2** of the RNTPC Paper). 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;

(e) 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

(f) 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; and

(iv) there is no guarantee that minimum residual head (20 metre-head) could be maintained at the extremities such as high level areas or pressure management zones, especially during periods of peak demand, firefighting operations, or unforeseen network fluctuations. Notwithstanding that the WSD's minimum pledge is theoretically met at the connection point, the actual pressure may fluctuate.

□Urgent □Return receipt □Expand Group □Restricted □Prevent Copy □Confidential

tpbpd/PLAND

寄件者: [redacted]
寄件日期: 2026年10月10日星期六 8:20
收件者: tpbpd/PLAND
主旨: 反對規劃申請 A/NE-KTS/582、A/NE-KTS/583 及 A/NE-KTS/585

類別: Internet Email

城市規劃委員會秘書處：

本人為上水古洞南坑頭居民及車輛使用者。特此對有關編號 A/NE-KTS/582、A/NE-KTS/583 及 A/NE-KTS/585 的規劃申請（擬議於農業地帶作臨時私人游泳池及私人花園）提出強烈反對。

反對理由如下：

1. 嚴重阻塞日常交通及車輛出入：
申請地點所涉之路段正是本人及多位村民每日駕駛車輛出入的必經車路。若該處被改為私人花園及泳池並加以圍封，將直接封閉現有車路，嚴重剝奪村民的正常通行權益。

2. 影響大型車輛（如金門倉大車）之迴旋及褪車空間：
該處後方設有金門倉，平時已有大量大型貨車及重型車輛頻繁出入。現時的路面空間本已有限，若容許申請人在該處興建私人設施，將令道路變窄，導致車輛（特別是大車）在該處完全無法順利掉頭、交匯或褪車，造成極大的交通安全隱患及嚴重擠塞。

3. 不符合「農業」地帶規劃原意及損害公眾利益：
有關申請涉及將原本的通道/農地改作私人消閒用途，實屬將私人利益凌駕於公眾道路權益之上，對區內居民的出行安全構成威脅。

綜上所述，懇請城規會以公眾安全及交通流通為重，否決上述三宗規劃申請。

此致
城市規劃委員會

發件人：LEUNG
日期：2026年10月10日

□Urgent □Return receipt □Expand Group □Restricted □Prevent Copy □Confidential 2

tpbpd/PLAND

寄件者: [redacted]
寄件日期: 2026年10月11日星期日 15:57
收件者: tpbpd/PLAND
主旨: A/NE-KTS/585 · 這個規劃申請作出投訴

類別: Internet Email

檔案編號 # A/NE-KTS/585

你好！

對上述規劃申請兩個檔案編號， 本人作出投訴！

1）游泳池蚊患嚴重， 積水
2）私人游泳池和花園經常用作家庭聚會聚會燒烤BBQ或派對場所，發出嘈音，直接滋擾到周邊居民
3）射燈長開

如申請接納，可能或會有商業用途。

規劃申請
PLANNING APPLICATION

申請編號 Application No.	A/NE-KTS/585
地點 Location （見下圖 See Plan Below）	上水古洞南坑頭丈量約份第100約 地段第835號B分段及第839號餘段（部分） Lots 835 S.B and 839 RP (Part) in D.D. 100, Hang Tau, Kwu Tung South, Sheung Shui
地帶及圖則 Zoning and Plan	「農業」 "Agriculture" 古洞南分區計劃大綱核准圖編號 S/NE-KTS/22 Approved Kwu Tung South Outline Zoning Plan No. S/NE-KTS/22
建議 Proposal	附設於已准許屋宇（新界豁免管制屋宇－小型屋宇）的 臨時私人泳池及私人花園（為期3年） Temporary Private Swimming Pool and Private Garden for a Permitted House (New Territories Exempted House – Small House) for a Period of 3 Years

任何人士均可就這宗申請提出意見。有關意見必須**於２０２６年１０月３０日或之前**，以專人送遞或郵遞（香港北角渣華道３３３號北角政府合署１５樓）、傳真（2877 0245或2522 8426）或電郵（tpbpd@pland.gov.hk）方式，向城市規劃委員會提出。

Any person may make comment on this application. The comment must be made to the Town Planning Board by hand or post (15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong), fax (2877 0245 or 2522 8426) or e-mail (tpbpd@pland.gov.hk) on or before 30 Oct 2026.

詳情 Particulars

1. 這是根據《城市規劃條例》（下稱「條例」）第１６條提出的申請。
   This is an application made under section 16 of the Town Planning Ordinance (the Ordinance).

2. 公眾可在城市規劃委員會（下稱「委員會」）就這宗申請作出考慮前，登入委員會的網頁（https://www.tpb.gov.hk/tc/plan_application/A_NE-KTS_585.html 或掃描本通告的二維碼）及到下列地點查閱這宗申請。
   Until the application has been considered by the Town Planning Board (the Board), the application is available for public inspection on the Board's website (https://www.tpb.gov.hk/en/plan_application/A_NE-KTS_585.html or scanning the QR code in this Notice) and at the following locations.

規劃署規劃資料查詢處 Planning Enquiry Counters, Planning Department

（熱線 Hotline：2231 5000）
香港北角渣華道３３３號北角政府合署１７樓
17/F, North Point Government Offices, 333 Java Road, North Point, H.K.
新界沙田上禾輋路１號沙田政府合署１４樓
14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, N.T.

3. 根據條例，所有向委員會提出的意見，均會供公眾查閱。
   All comments made to the Board will be available for public inspection under the Ordinance.

個人資料聲明 Statement on Personal Data

委員會就任何意見所收到的個人資料會交給委員會秘書及政府部門，以根據條例及相關的城市規劃委員會規劃指引的規定作以下用途：
（a）處理這宗申請，包括公布有關意見供公眾查閱，同時公布提出意見人士（下稱「提意見人」）的姓名供公眾查閱；以及
（b）方便提意見人與委員會秘書及政府部門之間進行聯絡。

The personal data submitted to the Board in any comment will be used by the Secretary of the Board and Government departments for the following purposes:
(a) the processing of this application which includes making available the name of the person making the comment (hereafter known as "commenter") for public inspection when making available the comment for public inspection; and
(b) facilitating communication between the "commenter" and the Secretary of the Board/Government departments
in accordance with the provisions of the Ordinance and the relevant Town Planning Board Guidelines.

重要提示 Important Notes：

（1）委員會考慮申請的暫定會議日期已上載於委員會的網頁（www.tpb.gov.hk/），考慮規劃申請而舉行的會議（進行商議的部分除外），會向公眾開放。如欲觀看會議，請最遲在會議日期的一天前以電話（2231 5061）、傳真（2877 0245或2522 8426）或電郵（tpbpd@pland.gov.hk）向委員會秘書處預留座位，座位會按先到先得的原則分配。
The tentative date of the Board to consider the application has been uploaded to the Board's website (www.tpb.gov.hk/). The meeting for considering planning applications, except the deliberation parts, will be open to the public. For observation of the meeting, reservation of seat can be made with the Secretariat of the Board by telephone (2231 5061), fax (2877 0245 or 2522 8426) or e-mail (tpbpd@pland.gov.hk) at least one day before the meeting. Seats will be allocated on a first-come-first-served basis.

（2）供委員會在考慮申請時參閱的文件，會在發送給委員會委員後存放於規劃署的規劃資料查詢處（查詢熱線：2231 5000），以及在會議當日存放於會議特備室，以供公眾查閱。
The paper for consideration of the Board in relation to the application will be available for public inspection after issue to the Board Members at the Planning Enquiry Counters of the Planning Department (Hotline : 2231 5000) and at the Public Viewing Room on the day of meeting.

（3）在委員會考慮申請後，可致電2231 4810或2231 4835查詢有關決定，或是在會議結束後，在委員會的網頁上查閱決定摘要。
After the Board has considered the application, enquiry about the decision may be made at tel. no. 2231 4810 or 2231 4835 or the gist of the decision can be viewed at the Board's website after the meeting.

位置圖 Location Plan

（只作識別用 for identification purpose only）



城市規劃委員會
２０２６年１０月９日
Town Planning Board
9 Oct 2026

（任何人在未經委員會許可而撕去、塗改、毀壞或移除本通告，均可能構成刑事罪行。）
(Any person who obliterates, defaces, destroys or removes this notice without the authorization of the Board may commit a criminal offence.)

3

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/585Received on 02/10/2026

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. 10.14

4

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

FAXED 20/10/2026

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/585

意見詳情 (如有需要，請另頁說明)
Details of the Comment (use separate sheet if necessary)

本人對上述的申請沒有意見。

「提意見人」姓名/名稱 Name of person/~~company~~ making this comment 歐陽灣宏 坑頭村原居民代表

簽署 Signature [signature] 日期 Date 20/10/2026