

Total: 15 pages

Date: 7 March 2025

TPB Ref.: A/NE-MKT/40

By Email

Town Planning Board  
15/F, North Point Government Offices  
333, Java Road  
North Point  
Hong Kong  
(Attn: The Secretary)

Dear Sir,

**Proposed Temporary Warehouse for Storage of Construction Material and Furniture for a Period of 3 Years and Filling of Land at Lots 589 & 590 RP in D.D.90, Lin Ma Hang Road, Ta Kwu Ling, N.T.**

Our response to the comments of the CE/MN, DSD is as follow:

CE/MN, DSD's comments	Applicant's response
According to the record, the application site is in the vicinity of an existing streamcourse to the north of the application site. The applicant shall identify the streamcourse on site and shall place all the proposed works at least 3m away from the top of the bank of the streamcourse. All the proposed works in the vicinity of the streamcourse should not create any adverse drainage impacts, both during and after construction. Proposed flooding mitigation ensures if necessary shall be provided at the resources of the applicant to his satisfaction.	Noted.
The applicant should submit and implement a drainage proposal for the site to ensure that it will not cause adverse drainage impact to the adjacent area, and the implemented drainage facilities at the site shall be maintained at all times during the planning approval period.	Noted.
The applicant should be reminded to minimize the possible adverse environmental impacts on the existing streamcourse in his design and during construction.	Noted.

<p>The site is in an area where no public sewerage connection is available.</p> <p>The applicant should also take note of the following advisory comments in the drainage proposal:</p> <p>A drainage plan should clearly shows the size, levels and routes of the proposed drainage. The details (invert level, gradient, general sections etc.) of the proposed drain/surface channel, catchpits and the discharge structure shall be provided.</p> <p>Drainage Proposal 1.3.3 refers. Please clarify the condition and sizing of the mentioned culvert. Please also clarify the further downstream of the culvert.</p> <p>The cover levels of proposed channels should be flush with the existing adjoining ground level.</p> <p>Photos should be submitted clearly showing the current conditions of the area around the site, the existing drainage/flowpaths around the site, the proposed drainage from the site to the downstream existing watercourse and the existing watercourse at about 20m intervals. The locations of the camera and the direction of each photo should also be indicated on a plan.</p> <p>The applicant should check and ensure that the existing drainage downstream to which the proposed connection will be made have adequate capacity and satisfactory condition to cater for the additional discharge from the captioned site. The applicant should also ensure that the flow from this site will not overload the existing drainage system.</p> <p>The applicant is reminded that where walls are erected or kerbs are laid along the boundary of the same, peripheral channels should be provided on both sides of the walls or kerbs, and/or adequate openings should be provided at the walls/kerbs to allow existing overland flow passing through the site to be intercepted by the drainage system of the site with details to be agreed by</p>	<p>Noted.</p> <p>Please refer to the updated drainage plan attached drawings.</p> <p>Typo is found in para. 1.3.3. The dissipation of the stormwater is shown in proposed drainage plan and it is dissipated to an existing 600mm open drain.</p> <p>Noted.</p> <p>Please see photos below. The photo viewpoint is marked on Figure 3.</p> <p>Noted.</p> <p>The site is surrounded by corrugated metal sheets fencing. 100mm gap will be provided at the toe of the site hoarding to allow uninterrupted flow of stormwater,</p>
---	--

<p>DSD, unless justified not necessary.</p> <p>The applicant is reminded that all existing flow paths as well as the run-off falling onto and passing through the site should be intercepted and disposed of via proper discharge points. The applicant shall also ensure that no works, including any site formation works, shall be carried out as may adversely interfere with the free flow condition of the existing drains, channels and watercourses on or in the vicinity of the subject site any time during or after the works.</p> <p>The applicant and the successive lot owners shall allow connections from the adjacent lots to the completed drainage works on Government Land when so required.</p> <p>The proposed drainage works, whether within or outside the site boundary, should be constructed and maintained properly by the applicant and rectify the system if it is found to be inadequate or ineffective during operation at the applicant's own expense.</p> <p>For works to be undertaken outside the lot boundary, the applicant should obtain prior consent and agreement from DLO/N and/or private lot owners.</p> <p>The applicant should make good all the adjacent affected areas upon the completion of the drainage works.</p> <p>The applicant shall allow all time free access for the Government and its agent to conduct site inspection on the applicant's drainage works</p> <p>Photos should be submitted clearly showing the current conditions of the area around the site, the existing drainage/flowpaths around the site</p> <p>Para.1.1.5 refers. The open drain mentioned is missing from Figure 3.</p> <p>Figure 4 refers. Please indicate the invert level of the proposed drainage. The details of the proposed drain/surface channel, catchpits and the discharge structure shall be provided.</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Please see photos below. The photo viewpoint is marked on Figure 3.</p> <p>'Existing open drain' is marked on Figure 3.</p> <p>Noted. Please see updated drainage plan and attached drawings.</p>
--	--

Our response to the comments of DLO/N is as follows:

DLO/N's comments	Applicant's response
<p>Object to the application.</p> <p>The application site comprises Old Schedule Agricultural Lots 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 right of access via Government Land is granted to the application site.</p> <p>The following irregularity covered by the subject planning application has been detected by her office:</p> <p><b><u>Unauthorized structure within the said private lot covered by the planning application</u></b></p> <p>There is an unauthorized structure within Lot No. 590 RP in D.D.90. The lot owner should immediately rectify the lease breaches and her office reserves the rights to take necessary lease enforcement action against the breaches without further notice.</p> <p>The following irregularity not covered by the subject planning application has been detected by her office:</p> <p><b><u>Unlawful occupation of Government Land not covered by the planning application</u></b></p> <p>The Government Land adjoining the said private lots has been fenced off without permission. The Government Land being illegally occupied is not included in this application. Please clarify the extent of the application site. Any occupation of Government Land without Government's prior approval is an offence under Cap. 28. Her office reserves the rights to take necessary land control action against the illegal occupation of Government land without further notice. For direct grant of Short Term Tenancy (STT) of the adjoining Government Land to the applicant for temporary uses, prior policy support from the relevant bureau has to be obtained. As the application does not provide any details on the policy</p>	<p>The applicant will remove the temporary structures at the application site and apply to DLO/N for short term waiver (STW) to tally with the proposed scheme of the captioned application. The applicant will not erect any temporary structures at the application site before the STW is issued by DLO/N.</p> <p>The applicant will cease the occupation of adjoining Government land and retreat the site fencing to the application site boundary.</p>

support, please seek comments from the relevant bureau, especially the application highlights the existing business operation is affected by the Yuen Long South New Development Project.

The lot owners/application shall either (i) cease the illegal occupation of the Government Land not covered by the subject planning application immediately, or (ii) include the adjoining Government land being illegally occupied in the subject planning application for the further considerations by the relevant departments and subject to the approval of the Town Planning Board to the planning application and subject to the availability of policy support as mentioned above which shall have reflected the rectification or amendment as aforesaid required, apply to her office for Short Term Waiver (STW) and STT to permit the structure erected/to be erected and the occupation of the Government Land. The applications 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 back-dated waiver fee/rent from the first date imposed by LandsD. In addition, LandsD reserves the right to take enforcement action against the lot owners/applicant for any breach of the lease conditions, including the breaches already in existence or to be detected at any point of time in future and land control action for any unlawful occupation of Government Land. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered.

Unless and until the unlawful occupation of Government Land are duly rectified by the lot owner/application, it should be taken as her office's objection to the application which must be brought to the attention of the Town Planning Board when they consider the application.

The lot owner should comply with all the land filling requirements imposed by relevant government department. Government Land should not be disturbed unless with prior approval	
--	--

Should you have any questions, please feel free to contact the undersigned at [REDACTED]

[REDACTED].

Yours faithfully,



Patrick Tsui

c.c. Sha Tin, Tai Po and North District Planning Office (Attn: Ms. Audrey SOO) – By Email