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Cheryl Tsz Man TSANG/PLAND

寄件者: king king <[REDACTED]>
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收件者: tpbpd/PLAND
副本: Cheryl Tsz Man TSANG/PLAND; Esther Hiu Laam LI/PLAND
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類別: Internet Email

Dear Sir,

Please see attached letter for responding to the comments of the Government departments. Thank you.

Best Regards,

Patrick Tsui

Mobile: [REDACTED]

Total: 31 pages

Date: 20 January 2026

TPB Ref.: A/NE-MKT/55

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 (Cold Store for Iced Poultry) and Shop and Services (Fresh Provision Shop) and Associated Filling of Land for a Period of 3 Years at Lots 510, 511, 512 and 524 S.A ss.1 S.A in D.D. 90, Lin Ma Hang Road, Ta Kwu Ling, New Territories

Our response to the comments of the CEDD is found in the attachment.

Our response to the comments of the CE/MN, DSD is found in the attachment and below.

CE/MN, DSD's comments	Applicant's response
<p>(a) As the application site (the Site) is to the west of an existing village access, please review if there is any drainage flow from the access to the Site, and review if there is any existing drainage outlet towards the Site in the vicinity. The proposed use should collect and convey overland flow and discharge from upstream drainage outlet;</p> <p>(b) The details (invert level, gradient, general sections etc.) of the proposed drain/surface channel, catchpits and the discharge structure shall be provided;</p> <p>(c) Please clarify the details of drainage downstream. The applicants should check and ensure that the existing drainage downstream to which the proposed connection will be made adequate capacity and satisfactory condition to cater for the additional discharge from the Site. They should also ensure that the flow from the Site will not overload the existing drainage system;</p>	<p>(a) It is confirmed that there is no existing drainage outlet towards to the site in the vicinity.</p> <p>(b) The details are provided.</p> <p>(c) The drainage downstream is verified, it is a 650mm(W)x500mm(D) channel.</p>

<p>(d) Please clearly indicate the existing and future ground levels within and in the vicinity of the Site to justify the flow path and delineation of external catchment area;</p> <p>(e) Please provide cross sections of the Site for reference;</p> <p>(f) The cover levels of proposed channels should be flush with the existing adjoining ground level;</p> <p>(g) 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. The locations of the camera and the direction of each photo should also be indicated on a plan;</p> <p>(h) Please be reminded that where walls are erected or kerbs are laid along the boundary of the Site, 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 DSD, unless justified not necessary;</p> <p>(i) The proposed drainage works, whether within or outside the Site, should be constructed and maintained properly by the applicants and rectify the system if it is found to be inadequate or ineffective during operation at their own expense;</p> <p>(j) The applicants shall allow all time free access for the Government and its agent to conduct site inspection on their completed drainage works;</p> <p>(k) The applicants 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>(d) The levels are provided.</p> <p>(e) Cross sections are provided.</p> <p>(f) Noted.</p> <p>(g) Photos are provided.</p> <p>(h) Noted.</p> <p>(i) Noted.</p> <p>(j) Noted.</p> <p>(k) Noted.</p>
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<p>(l) For works to be undertaken outside the lot boundary, the applicants should obtain prior consent and agreement from the District Lands Officer/North of Lands Department and/or relevant private lot owners; and</p> <p>(m) The applicants should make good all the adjacent affected areas upon the completion of the drainage works.</p>	<p>(l) Noted.</p> <p>(m) Noted.</p>
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Our response to the comments of the Transport Department is found in the following:

Transport Department's comments	Applicant's response
<p>The applicants should provide a proposal on the vehicular access arrangement for the ingress and egress routes leading to and from the proposed use;</p>	<p>Please refer to the Figure 11 & 12.</p>
<p>The applicant shall demonstrate the satisfactory manoeuvring of the goods vehicles entering and exiting the subject site, manoeuvring within the subject site and into / out of the parking and loading/unloading spaces, preferably using the swept path analysis;</p>	<p>Please see the attached Figure 11 & 12 for demonstrating the smooth manoeuvring of vehicles within the subject site and into/out of the parking and loading/unloading spaces.</p>
<p>The applicant shall advise the provision of pedestrian facilities and management measures to ensure pedestrian safety;</p>	<p>Flashing lights and alarm will be provided at the ingress/egress to alert the pedestrian when there is passage of vehicles.</p>
<p>The applicant shall advise the management/control measures to be implemented to ensure no queuing of vehicles outside the subject site;</p>	<p>No car gate will be installed at the application site so that no queueing of vehicles will be found outside the subject site.</p>
<p>The applicant shall advise the measures for preventing illegal parking of visitors' vehicles outside the subject site; and</p>	<p>The applicant will arrange a pre-book system to manage the arrival time of the MGV/HGV to ensure no queueing of vehicles outside the subject site.</p>
<p>The proposed vehicular access between Lin Ma Hang Road and the Site is not managed by the Transport Department.</p>	<p>Noted.</p>

Our response to the comments of the DLO/N is found in the following:

DLO/N's comments	Applicant's response
1. The application site (the 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 (GL) is granted to the Site. The proposed vehicular access is required to pass through other private lots, and the applicants shall make their own arrangement;	Noted.
2. Part of the Lot 524 S.A ss.1 S.A in D.D. 90 is covered by Letter of Approval (LoA) No. 2644 for erection of temporary structures (chicken sheds). His office reserves the rights to take enforcement action for any irregularities and cancel the LoA as appropriate;	Noted.
3. The following irregularity covered by the subject planning application has been detected by his office: <u>Structures within Lots 510 and 524 S.A ss.1 S.A in D.D. 90 covered by the planning application</u> There are structures on Lots 510 and 524 S.A ss.1 S.A in D.D. 90. The lot owners should advise any toleration was given by competent authority to these structures. His office reserves the rights to take necessary lease enforcement action against the breaches without further notice;	The applicant will demolish all the temporary structures at the application site. Upon planning approval, the applicant will apply to DLO/N for Short Term Waiver before the erecting of the temporary structures according to the approved layout plan.
4. The following irregularity not covered by the subject planning application has been detected by his office: <u>Structure extended from Lot 524 S.A ss.1 S.A in D.D. 90 to adjoining Lot 524 S.A ss.1 RP in D.D. 90 not covered by the planning application</u> There is structure extended from Lot 524 S.A ss.1 S.A in D.D. 90 to adjoining	

<p>Lot 524 S.A ss.1 RP in D.D. 90 not covered by the subject planning application. The lot owner should advise any toleration was given by competent authority to the structure. His office reserves the rights to take necessary lease enforcement action against the breaches without further notice;</p> <p>5. The lot owner(s)/applicants shall either (i) remove the structure not covered by the subject planning application immediately, or (ii) include the structure in the subject planning application for further consideration by the relevant departments and, subject to the approval of the Town Planning Board to the planning application which shall have reflected the rectification or amendment as aforesaid required, apply to his office for Short Term Waiver (STW) to permit the structures erected/to be erected on the Site. 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 the whole lot basis and subject to such terms and conditions including the payment of back-dated waiver fee from the first date when the structures were erected 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(s)/applicants for any breach of the lease conditions, including the breach(es) 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 structure(s) will be considered;</p> <p>6. Unless and until the structure not covered in the planning application is duly rectified by the lot owner(s)/applicants or entirely included in the subject planning</p>	
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<p>application, it should be taken as his office's adverse comment to the application which must be brought to the attention of the Town Planning Board when it considers the application; and</p> <p>7. The applicants should comply with all the land filling requirements imposed by relevant government departments. GL should not be disturbed unless with prior approval.</p>	
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Our response to the comments of the DAFC is found in the following:

DAFC's comments	Applicant's response
<p>The application site (the Site) falls within the "Agriculture" zone and is generally vacant and abandoned. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc. As the Site possesses potential for agricultural rehabilitation, the proposed use is not supported from agricultural perspective.</p>	<p>The application site is intended for the relocation of the affected business due to land resumption by Government for public project. The land adjacent to the application site has been approved for the relocation of affected business due to land resumption by Government and it was supported by the Development Bureau. As such, the current application should be sympathetically considered.</p>

Our response to the comments of the DPO, Sha Tin, Tai Po & North is found in the following:

DPO, Sha Tin, Tai Po & North's comments	Applicant's response
<p>It is noted that the operation hours of the proposed use are between 9:00 a.m. and 7:00 p.m. from Mondays to Saturdays, excluding Sundays and public holidays. While cold storage operators often need to operate at odd hours, please confirm if the stated operation hours are correct.</p>	<p>We confirm that the operation hours of the proposed use are between 9:00 a.m. and 7:00 p.m. from Mondays to Saturdays, excluding Sundays and public holidays.</p>

Our response to the comments of the Chief Highway Engineer/New Territories East, Highways Department is found in the following:

Chief Highway Engineer/New Territories East, Highways Department's comments	Applicant's response
<p>It is noted that 6m wide ingress/egress is proposed for the vehicular access of the application site (the Site). Please advise the location of the access point connecting to Lin Ma Hang Road. The applicant should be reminded that the location requires a proper run-in/out. If not, the proposed run-in/out should be designed and constructed by the applicant in accordance with the prevailing HyD standard drawings (i.e. H5133, H5134 and H5135) to the Transport Department and HyD's satisfaction;</p> <p>Adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public road and drains.</p>	<p>There is an existing run-in/out as shown in the attached Figure 11 & 12 (swept path analysis).</p> <p>Noted.</p>

Our response to the comments of the CTP/UD&L, Planning Department is found in the following:

CTP/UD&L, Planning Department's comments	Applicant's response
<p>a. Based on the aerial photo of 2024, the application site (the Site) is located in an area of rural inland plain landscape character comprising tree clusters, vegetated areas, village houses, temporary structures and woodland within the “Green Belt” zone to the southeast. Compared with the aerial photos from 2020 to 2024, vegetation clearance and erection of temporary structures in the surrounding areas have gradually taken place since 2021. Approval of the application may further alter the landscape character of the areas;</p> <p>b. With reference to the site records taken in November 2025, the Site is fenced-off and largely covered with vegetation. Some common tree species were observed within the Site. According to the proposed</p>	<p>The application site is intended for the relocation of the affected business due to land resumption by Government for public project. The land adjacent to the application site has been approved for the relocation of affected business due to land resumption by Government and it was supported by the Development Bureau. As such, the current application should be sympathetically considered.</p> <p>The existing trees at the application site will be felled. Compensatory planting will be provided along the site periphery as shown in the Figure 13. Due to the proposed provision of 35 <i>Cassia</i></p>

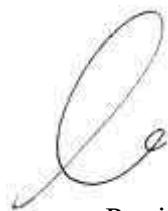
<p>layout plan (Figure 2) and the proposed land filling plan (Figure 5), the entire site will be filled with 0.2m of concrete and a new structure will be erected. The applicant has not provided information on the existing trees within the Site and whether the existing trees will be affected by the proposed use and the proposed mitigation measures, if any; and</p> <p>c. The applicant should be advised that approval of the application does not imply approval of tree works such as pruning, transplanting, felling and compensatory/ new tree planting. The applicant is reminded to seek approval for any proposed tree works from relevant departments prior to commencement of the works.</p>	<p><i>Surrattensis</i> at 35 proposed 1.2m x 1.2m tree pits, the proposed land filling will be reduced from 1,500m² to 1,449.6m². Please see the updated page 6 of the S.16-III application form and the proposed land filling plan.</p> <p>Noted.</p>
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Our response to the comments of the DEP is found in the following:

DEP's comments	Applicant's response
<p>It is noted that a cold store (about 470m²) and toilet will be location within the temporary single-storey structure within the application site. The applicant should advise the followings:</p> <p>(i) The configuration of the cold store and whether fixed plant noise and wastewater will be produced. If affirmative, any mitigation measures/treatment to minimise the impacts to the surroundings; and</p> <p>(ii) The sewage treatment facilities within the application site.</p>	<p>The cold store will be an enclosed structure and the opening will be facing to Lin Ma Hang Road). The opening will be covered with metal gate and it will be closed at all times except during loading/unloading. The plant room will be accommodated within the temporary single-storey structure and it will be covered with another temporary structure with material with a density higher than 7kg/m² for noise insulation.</p> <p>The septic tank and soakaway system will be provided. The septic tank and soakaway system will be designed and constructed according to the requirements of EPD's ProPECC PN 1/23, including requirements for minimum clearance distance, percolation test and certification by Authorized Person.</p>

Should you have any enquiries, please feel free to contact our Mr. Patrick Tsui at [REDACTED]
[REDACTED] at your convenience.

Yours faithfully,



Patrick Tsui

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

R to C for Comment from the Geotechnical Engineering Office for the Planning Application No. A/NE-MKT/55

Proposed Temporary Warehouse (Cold Store for Iced Poultry) and Shop and Services (Fresh Provision Shop) and Associated Filling of Land for a Period of 3 Years

<p>(i) According to his office's records, unauthorized works were formed within and/or in the vicinity of the application site (the Site) which may affect or be affected by the proposed use. Based on his office's records, his office has no information of the proper design and construction of these concerned unauthorized works.</p>	<p>Based on the topographic survey, some 1.0m x 1.0m x 1.0m concrete block have been placed between the Lot 510 and 524 S.A ss.1 S.A</p> <p>As discussed with the lot owner, he mentioned that these concrete blocks have been placed long time ago and should be placed by previous lot owner.</p>
<p>(ii) As the subject planning application would affect or be affected by the above-mentioned unauthorized works, the applicant shall submit a topographic survey including plan and sections (covering say 20m extending away from the Site), which should include identification of existing unregistered and registered man-made geotechnical features (i.e. slopes/retaining walls) based on the survey results. If they are present, the applicant should incorporate a preliminary geotechnical review of these identified geotechnical features which might affect or be affected by the proposed use.</p>	<p>The topographic plan and 2 sections are enclosed for perusal.</p> <p>Maximum 2.02m level different is found between the Lot 510 and 524 S.A ss.1 S.A, since this application is the proposed temporary warehouse (cold store for iced poultry) and shop and services (fresh provision shop) and associated <u>filling of land</u> for a period of 3 years, maximum 0.8m high soil/concrete blocks will be proposed to fill/place at the toe along the existing concrete blocks in order to reduce the retaining height not more than 1.2m, this retaining height would be a commonly accepted height that can be considered as no need for design submission.</p>
<p>(iii) The applicant should be reminded to submit the proposed building works and associated site formation works to Buildings Department for approval as required under the provisions of the Building Ordinance.</p>	<p>Noted.</p>