

1st Further Information

**Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities
and Associated Filling of Land for a Period of 3 Years in “Agriculture” Zone,
Various Lots in D.D. 90, Man Kam To, New Territories**

(S.16 Planning Application No. A/NE-MKT/69)

- (i) The applicant would like to submit a response-to-comments table for the consideration of government bureaux/departments:

Comments of the District Lands Office/North of Lands Department (DLO/N, LandsD) (Contact Person: Ms. Iris SIN; Tel.: 2675 1540 and Mr. Ivan MAN; Tel.: 2675 1546)		
(1)	the has adverse comments on the application;	Noted. The applicant will submit Short Term Waiver (STW) application to rectify the applied use erected on the concern lots after planning permission has been granted from the Board. No structure is proposed for domestic use.
(2)	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. The proposed ingress/egress of the Site is required to pass through private lot (i.e. Lot 551 RP in D.D. 90). Besides, according to the vehicular access plan of the supplementary planning statement, the vehicular access is required to pass through Government Land (GL) but no right of access via GL is granted to the Site;	
(3)	the following irregularity not covered by the application has been detected by his office: <u>Unauthorised structures within Lots 536 and 538 RP in D.D. 90 not covered by the application</u> there are unauthorised structures within Lots 536 and 538 RP in D.D. 90 not covered by the application. The lot owners should immediately rectify the lease breaches and his office reserves the rights	



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	to take necessary lease enforcement action against the breaches without further notice;	
(4)	The land owners/applicant shall either (i) remove the unauthorised structures not covered by the application immediately; or (ii) include the unauthorised structures in the application for the further consideration by the relevant departments, and subject to the approval of the Town Planning Board to the application which shall have reflected the rectification or amendment as aforesaid required, apply to his office for a Short Term Waiver (STW) to permit the erected or 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 back-dated 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 owners/applicant 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; and	
(5)	The applicant should comply with all the land filling requirements imposed by relevant government departments. GL should not be disturbed unless with prior approval.	



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Comments of the Director of Agriculture, Fisheries and Conservation (DAFC) (Contact Person: Mr. LAU Yun-kwan; Tel.: 2150 6931)		
(1)	<u>From nature conservation perspective</u> According to our recent inspection, the application site is a marsh or seasonal marsh. As the loss of a wetland is undesirable from nature conservation perspective, the subject application is not supported.	Noted. All activities will only be conformed within the enclosed structure during the planning approval period to avoid any disturbance. Also, 2.5 m high solid metal fencing will be erected along the site boundary to minimise adverse impacts to the surrounding area. The boundary wall will be installed properly by a licensed contractor to prevent misalignment of walls, to ensure that there is no gap or slit on the boundary wall. In addition, maintenance will be conducted by the applicant on a regular basis. No filling of land other than the permitted level will be carried out within the Site by the applicant during construction and operational phases. Such that, impacts to the surroundings would be potentially minimised.
Comments of the Chief Engineer/Mainland North of Drainage Services Department (CE/MN, DSD) (Contact Person: Mr. Renol TAN; Tel.: 3965 8925)		
(1)	There is existing watercourse within the application site (the Site). The applicant should submit a Drainage Impact Assessment (DIA) referring to DSD Advice Note No. 1 'Application of the Drainage Impact Assessment Process to Private Sector Projects';	Noted. The applicant will submit a DIA for CE/MN, DSD's consideration after the application has been approved by the Board.
(2)	The DIA shall demonstrate that there would be adequate measures provided at the resources of the applicant to ensure capacity of streamcourse/drainage facilities and flooding susceptibility of the adjoining areas would not be adversely affected by the proposed use and to avoid the Site from being eroded and flooded. The applicant is required to assess whether the downstream for drainage connection would have sufficient capacity to receive the stormwater runoff. Flood	



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	mitigation measures proposed in the DIA and any other storm-water drainage facilities should be provided and maintained by the applicant to the satisfaction of her office;	
(3)	As the existing streamcourse traversing the Site is crucial to the drainage condition of the area, it should be maintained at all times. The applicant shall be required to place all the proposed works including landfilling works at least 3m away from the top of the banks of existing streamcourse. All the proposed works should not disturb, interfere with or cause damage to existing streamcourse, and all the proposed works in the vicinity of existing streamcourse should not create any adverse drainage impacts, both during and after construction;	Noted.
(4)	The existing streamcourse will be narrowed by the filling materials if landfilling is carried out for the entire site, rectification and improvement works should be planned to resume the hydraulic performance of the streamcourse. No land filling on site shall be allowed until the flood mitigation measures have been implemented to the satisfaction of DSD;	Noted.
(5)	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;	Noted.



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(6)	The applicant shall take all precautionary measures to prevent any disturbance, damage and pollution from the development to any parts of the existing drainage facilities and existing watercourse within the Site. In the event of any damage to the existing drainage facilities and watercourse, the applicant shall be held responsible for the cost of all necessary repair works, compensation and any other consequences arising there from;	Noted.
(7)	The applicant should be reminded to minimise the possible adverse environmental impacts on the existing watercourse in his design and during construction;	Noted.
(8)	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 his/her own expense;	Noted.
(9)	For works to be undertaken outside the lot boundary, the applicant should obtain prior consent and agreement from the District Lands Officer/North of Lands Department and/or relevant private lot owners;	Noted.
(10)	The applicant shall allow all time free access for the Government and its agent to conduct site inspection on his/her completed drainage works;	Noted.
(11)	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; and	Noted.



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(12)	The Site is within an area where connection to existing public sewerage networks are available in the vicinity. A copy of the drainage record is at Annex I, and the legend of drainage record plans can be referred to https://www.dsd.gov.hk/EN/Files/Legend/BW.pdf. Please note that the information shown on the record drawings are subject to verification on site and no guarantee can be given that this is a complete record. The lot owner should be asked to verify the actual site conditions by sub-surface explorations. Should the applicant choose to connect his proposed drainage systems to DSD's networks, he/she shall furnish her with his/her connection proposals for agreement. After obtaining her agreement, the applicant shall submit a duly completed Form HBP1 'Application for Technical Audit of Drainage/Water Supply Connection Works carried out by a Member of the Public' with a crossed cheque covering the technical audit fee and a plan showing the details of the proposed drainage connection works to her office for formal application for the required connections. Upon my acceptance of the connection application, the applicant shall carry out the proposed connection works in accordance with DSD Standard Drawings at the resources of the applicant. The connection pipe located downstream of the terminal manhole and outside the lot boundaries shall be handed over to DSD for maintenance after satisfactory technical audit by DSD. The location of the terminal manhole shall be designed and constructed close to the lot boundary as far as practicable.	Noted.
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