

Responses to Departments' comments (A/NE-MKT/70)

<u>Secretary for Development</u> Taking note there is substantial difference on the site area, i.e. 2,330m² vs 6,454m², and supposedly the subject application is to facilitate the relocation of affected business in the original premises due to the development of San Tin Technopole, the reason for larger site area due to business expansion is not justified. The applicant should review the site area and provide further justification for her office's consideration.	Supporting documents via email dd 15.9.2026 at 3:22 p.m. to Ms. Tsang of STN DPO have explained the applicant's requirements for larger site area.
<u>Commissioner of Police</u> a. he has concerns on the application; b.the application site (the Site) is situated near Ta Kwu Ling Police Station and Ta Kwu Ling Ambulance Depot. Traffic impact arising from the proposed uses will likely impede emergency services; and	Only 1 light goods vehicle and 3 heavy goods vehicles leaving the Site between 8:00a.m. to 10:00 a.m. in the morning and 1 light goods vehicle and 3 heavy goods vehicles entering and leaving the Site between 4p.m. to 7p.m. in the afternoon and evening for loading and unloading during Mondays to Saturdays. There is no operation on Sundays and public holidays. The traffic arising from the proposed temporary development at the Site to Ping Che Road and its surroundings should be insignificant. about 6 trips per days from the subject site. The traffic impact should cause any negative impact to the emergency services of

c.the Site is at the major road junction of the local road network (i.e. Lin Ma Hang Road and Ping Che Road, both of which are two-way, two-lane roads), connecting Heung Yuen Wai Boundary Control Point (BCP) and Man Kam To BCP that smooth traffic flow is required. Frequent access by heavy vehicles may obstruct traffic and even block the entire carriageway, which would seriously affect emergency rescue services or responses to emergency calls.	the Police Station. The traffic concern is addressed in the above text.
<u>Director of Environmental Protection</u> (Contact Person: Ms. Maureen CHANG, Tel: 2835 1867) a.he is unable to lend support to the application from environmental planning perspective since heavy vehicles are involved and domestic dwellings are identified within 100m from the Site; b.he has no comment on the filling of land from environmental planning perspective subject to implementation of relevant mitigation measures listed in the Recommended Pollution Control Clauses for Construction Contracts; c.the applicant should follow the requirements of the 'Code of Practice on Handling Environmental Aspects of Temporary Uses & Open Storage Sites';	It is shown on Plan 3 of the planning application that there is a buffer zone of 279s.m. separating the existing domestic dwellings and the subject Site. Noted. Noted.

d.the applicant should implement relevant mitigation measures listed in the Recommended Pollution Control Clauses for Construction Contracts (https://www.epd.gov.hk/epd/english/environmentinhk/eia_planning/guide_ref/rpc.html) during land filling and construction works; e.the applicant should provide suitable sewage treatment facilities as required under the Professional Persons Environmental Consultative Committee Practice Note (ProPECC PN) 1/23 'Drainage Plans subject to Comment by the Environmental Protection Department' and are duly certified by an Authorised Person (AP) or employ licensed waste collector to regularly collect and properly dispose of the sewage collected in the proposed toilet to avoid causing water pollution to the water course running along the southern site boundary; and f.since no filling material is proposed, the applicant is reminded to use non-odorous materials such as concrete to avoid causing odour issues.	Noted Suitable sewage treatment facilities will be provided to fulfill the requirement of concerned Government Departments. Noted.
<u>Chief Engineer/Mainland North, Drainage Services Department</u> (Contact Person: Mr. Wilson TAI, Tel: 3965 8931)	

The Site is in the vicinity of an existing streamcourse. Unless the applicant can submit a satisfactory drainage proposal to demonstrate that there would be adequate measures provided at the resources of the applicant to avoid the Site from being eroded and flooded and to ensure capacity of streamcourse and flooding susceptibility of the adjoining areas would not be adversely affected by the proposed uses, she does not support the application.	Applicant will fulfil this requirement through the planning permission to the satisfaction of DSD.
<u>Head of Geotechnical Engineering Office, Civil Engineering and Development Department</u> (Contact Person: Ms. Rachel HUNG, Tel: 2762 5385 or Mr. Kenneth IP; Tel: 2762 5615)	
a. the application is not supported at this stage until the necessary remedial/reinstatement actions are completed to the satisfaction of the relevant government departments (for example Buildings Department and Environmental Protection Department); b. since the application site (the Site) will affect and be affected by suspected unauthorised works, which involve a filling platform with concrete pavement about 1.5m to 2.0m high, and in order to ensure the safety of future users and that the proposed uses would not affect or be affected by the suspected unauthorised works, it is considered necessary to conduct an investigation to delineate the scale and extent of the suspected unauthorised works and to implement necessary remedial	Upon approval of the application, all unauthorized works at the site will be removed and discontinued. Noted.

works.	
<u>Commissioner for Transport</u> (Contact Person: Mr. Ray LAM, Tel: 2399 2405) (i) the applicant shall provide a proposal on the vehicular access arrangement including the run-in/out design for the vehicles leaving/entering the proposed uses; (ii) the applicant shall demonstrate the satisfactory manoeuvring of the goods vehicles entering and existing the Site without encroaching onto the opposite lane; (iii) the applicant shall advise the provision of pedestrian facilities and management measures to ensure pedestrian safety; (iv) the applicant shall advise the management/control measures to be implemented to ensure no queuing of vehicles outside the Site; and (v) the applicant shall advise the measures for preventing illegal parking of visitors' vehicles outside the Site.	This requirement can be addressed through the planning approval conditions. This requirement can be addressed through the planning approval conditions. Erection of "Pedestrian Caution" and the convex mirror at the entrance of the Site will be provided to alert both vehicular users and pedestrians. This requirement can be addressed through the planning approval conditions. A comprehensive traffic management report will be submitted to Town Planning Board upon the approval condition of this application to the satisfaction of C for T or of the Town Planning Board. A signage of "No visitor parking" signage will be erected outside the Site.

<u>District Lands Officer/North, Lands Department (LandsD)</u> (Contact Person: Mr. Ivan MAN, Tel: 2675 1546) (a) he objects to the application; (b) 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 requires to pass through Government Land (GL) but no right of access via GL is granted to the Site; (c) the following irregularity covered by the application has been detected by his office: <u>Unauthorised structures within Lot 751 S.B RP in D.D. 82 covered by the application</u> there are unauthorised structures on Lot 751 S.B RP in D.D. 82. The lot owner(s) should immediately rectify the lease breaches and his office reserves the rights to take necessary lease enforcement action against the breaches without further notice; (d) the following irregularities not covered by the application have been detected by his office:	Noted The ingress/egress which encroaches on G.L is for the use of right of way. If required, STT will be submitted for the consideration of DLO/N. Noted. This planning application is to obtain planning permission from the Town Planning Board. Upon the approval of the planning application, the applicant will submit a STW application to address DLO/N's concerns.

<u>Unauthorised structure(s) within Lot 751 S.B RP in D.D. 82 not covered by the application</u> there is/are unauthorised structure(s) extended from Lot 118 RP in D.D. 82 to the concerned private lot not covered by the application. The lot owner(s) 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 <u>Unlawful occupation of Government Land (GL) adjoining Lot 751 S.B RP in D.D. 82 not covered by the application</u> the GL adjoining Lot 751 S.B RP in D.D. 82 has been fenced off and illegally occupied with unauthorised structures without permission. The GL being illegally occupied is not included in the application. Any occupation of GL without Government's prior approval is an offence under the Land (Miscellaneous Provisions) Ordinance (Cap. 28). LandsD objects to the application since there is illegal occupation of GL and the subject case does not fall within the one that regularisation could be considered under the prevailing land policy. The lot owner/occupier should immediately cease the illegal occupation of GL. His office reserves the rights to take necessary land control action against illegal occupation of GL without further notice;	Noted. Noted.

(e) subject to approval of the Town Planning Board (the Board) to the application which shall have reflected the rectification as aforesaid required, the lot owners shall apply to his office for Short Term Waivers (STW) to permit the proposed structures. The application of STW will be considered by the Government in its capacity as a landlord and there is no guarantee that they 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 fees 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)/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 and land control action for any unlawful occupation of GL. Besides, given the proposed uses are temporary in nature, only erection of temporary structures will be considered;

Noted

(f) unless and until the unauthorised structures and the unlawful occupation of GL are duly rectified by the lot owner(s)/applicant, his office objects to the application which must be brought to the attention of the Board when it considers the application.

Noted.

Further Responses to Comments

<u>Director of Environmental Protection</u> (Contact Person: Ms. Maureen CHANG, Tel: 2835 1867) since no new information was provided where heavy vehicle is still involved, the stance (i.e. unable to lend support to the application from environmental planning perspective) remains valid.	A comprehensive traffic management and traffic control report will be submitted to the satisfaction of TD to fulfil planning condition as required by TD upon the approval of this application. The said report could also serve EPD's concern over heavy vehicles issue. Should EPD require further planning condition, the applicant is willing to accept.
<u>Chief Engineer/Mainland North, Drainage Services Department</u> (Contact Person: Mr. Wilson TAI, Tel: 3965 8931) The previous comment provided remains valid. The application site (the Site) is in the vicinity of an existing streamcourse. The applicant is advised to submit a satisfactory drainage proposal to demonstrate that there would be adequate measures provided at the resources of the applicant to avoid the Site from being eroded and flooded and to ensure capacity of streamcourse and flooding susceptibility of the adjoining areas would not be adversely affected by the proposed uses.	Please find the attached drainage proposal for the consideration of DSD.