

This document is received on **7 JUL 2020**
The Town Planning Board will formally acknowledge
the date of receipt of the application only upon receipt
of all the required information and documents.

電子表格第S16-III號

**APPLICATION FOR PERMISSION
UNDER SECTION 16 OF
THE TOWN PLANNING ORDINANCE
(CAP.131)**

A/FLN/22

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

**Applicable to Proposal Only Involving Temporary Use/Development of
Land and/or Building Not Exceeding 3 Years in Rural Areas or Renewal
of Permission for such Temporary Use or Development***

**適用於祇涉及位於鄉郊地區土地上及/或建築物內進行為期不超過三年
的臨時用途/發展或該等臨時用途/發展的許可續期的建議***

*Form No. S16-I should be used for other Temporary Use/Development of Land and/or Building (e.g. temporary use/developments in the Urban Area) and Renewal of Permission for such Temporary Use or Development.

*其他土地上及/或建築物內的臨時用途/發展(例如位於市區內的臨時用途或發展)及有關該等臨時用途/發展的許可續期,應使用表格第S16-I號。

Applicant who would like to publish the notice of application in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers: https://www.info.gov.hk/tpb/en/plan_application/apply.html

申請人如欲在本地報章刊登申請通知,以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行土地擁有人所指定的其中一項合理步驟,請瀏覽以下網址有關在指定的報章刊登通知:
https://www.info.gov.hk/tpb/tc/plan_application/apply.html

General Note and Annotation for the Form

填寫表格的一般指引及註解

"Current land owner" means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made
「現行土地擁有人」指在提出申請前六星期,其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人

Please attach documentary proof 請夾附證明文件

Please insert number where appropriate 請在適當地方註明編號

Please fill "NA" for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足,請另頁說明

Please insert a "✓" at the appropriate box 請在適當的方格內上加上「✓」號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A / FLN / 22
	Date Received 收到日期	- 7 JUL 2020

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申請人須把填妥的申請表格及其他支持申請的文件 (倘有), 送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會(下稱「委員會」)秘書收。
- Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <http://www.info.gov.hk/tpb/>. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).
請先細閱《申請須知》的資料單張, 然後填寫此表格。該份文件可從委員會的網頁下載 (網址: <http://www.info.gov.hk/tpb/>), 亦可向委員會秘書處 (香港北角渣華道 333 號北角政府合署 15 樓 - 電話: 2231 4810 或 2231 4835) 及規劃署的規劃資料查詢處 (熱線: 2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓) 索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.
此表格可從委員會的網頁下載, 亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全, 委員會可拒絕處理有關申請。

1. Name of Applicant 申請人姓名/名稱

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☒ Company 公司 / ☐ Organisation 機構)

- 1) Ho Lam Enterprise Investment Limited 浩霖企業投資有限公司; and
2) Chi Wah Investment Group Limited 賜華投資集團有限公司

2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☒ Company 公司 / ☐ Organisation 機構)

Land Supreme Surveyors Limited

3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼 (如適用)	Lots Nos. 517 RP, 518 RP, 521 RP, 522, 523 RP, 524 RP, 525, 526, 527 RP, 532 RP (Portion), 533 RP (Portion), 534 RP (Portion), 539 (Portion), 540 (Portion), 541 (Portion), 542 (Portion), 543 (Portion), 544, 545, 547 (Portion), 548 (Portion), 551 (Portion), 552 and 553, and Adjoining Government Land in D.D. 51 Fu Tei Au and Shek Wu San Tsuen, Sheung Shui, North, New Territories
(b) Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面積	☒ Site area 地盤面積 29,034.28 sq.m 平方米 ☐ About 約 ☒ Gross floor area 總樓面面積 5,479.11 sq.m 平方米 ☐ About 約
(c) Area of Government land included (if any) 所包括的政府土地面積 (倘有)	7,713.66 sq.m 平方米 ☐ About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	Approved Fanling North Outline Zoning Plan No. S/FLN/2 and Approved Fu Tei Au and Sha Ling Outline Zoning Plan No. S/NE-FTA/16
(e) Land use zone(s) involved 涉及的土地用途地帶	"Government, Institution or Community", "Open Space", "Road", "Other Specified Uses (Sewage Pumping Station)", "Other Specified Uses" annotated "Amenity Area" and "Agriculture"
(f) Current use(s) 現時用途	Portion of Application Sites is being used as a public car park, and there are vacant erections (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

4. "Current Land Owner" of Application Site 申請地點的「現行土地擁有人」

The applicant 申請人 -

- ☐ is the sole "current land owner"^{##} (please proceed to Part 6 and attach documentary proof of ownership).
是唯一的「現行土地擁有人」^{##} (請繼續填寫第 6 部分，並夾附業權證明文件)。
- ☐ is one of the "current land owners"^{##} (please attach documentary proof of ownership).
是其中一名「現行土地擁有人」^{##} (請夾附業權證明文件)。
- ☒ is not a "current land owner"^{##}.
並不是「現行土地擁有人」^{##}。

- ☐ The application site is entirely on Government land (please proceed to Part 6).
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

5. Statement on Owner's Consent/Notification 就土地擁有人的同意/通知土地擁有人的陳述

- (a) According to the record(s) of the Land Registry as at (DD/MM/YYYY), this application involves a total of "current land owner(s)"^{##}.
根據土地註冊處截至 年 月 日的記錄，這宗申請共牽涉 名「現行土地擁有人」^{##}。

(b) The applicant 申請人 -

- ☐ has obtained consent(s) of "current land owner(s)"^{##}.
已取得 名「現行土地擁有人」^{##}的同意。

Details of consent of "current land owner(s)" ^{##} obtained 取得「現行土地擁有人」 ^{##} 同意的詳情		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼/處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has notified "current land owner(s)"[#]
已通知 名「現行土地擁有人」[#]。

Details of the "current land owner(s)" [#] notified 已獲通知「現行土地擁有人」 [#] 的詳細資料		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where notification(s) has/have been given 根據土地註冊處記錄已發出通知的地段號碼／處所地址	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☒ has taken reasonable steps to obtain consent of or give notification to owner(s):
已採取合理步驟以取得土地擁有人的同意或向該人發給通知。詳情如下：

Reasonable Steps to Obtain Consent of Owner(s) 取得土地擁有人的同意所採取的合理步驟

- ☐ sent request for consent to the "current land owner(s)" on _____ (DD/MM/YYYY)[&]
於_____ (日/月/年)向每一名「現行土地擁有人」[#]郵遞要求同意書[&]

Reasonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟

- ☒ published notices in local newspapers on 03/07/2020 (DD/MM/YYYY)[&]
於_____ (日/月/年)在指定報章就申請刊登一次通知[&]
- ☒ posted notice in a prominent position on or near application site/premises on
03/07/2020 (DD/MM/YYYY)[&]
於_____ (日/月/年)在申請地點／申請處所或附近的顯明位置貼出關於該申請的通知[&]
- ☐ sent notice to relevant owners' corporation(s)/owners' committee(s)/mutual aid committee(s)/management office(s) or rural committee on _____ (DD/MM/YYYY)[&]
於_____ (日/月/年)把通知寄往相關的業主立案法團/業主委員會/互助委員會或管理處，或有關係的鄉事委員會[&]

Others 其他

- ☐ others (please specify)
其他（請指明）

Note: May insert more than one 「✓」.

Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註：可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

6. Type(s) of Application 申請類別	
(A) Temporary Use/Development of Land and/or Building Not Exceeding 3 Years in Rural Areas 位於鄉郊地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展 (For Renewal of Permission for Temporary Use or Development in Rural Areas, please proceed to Part (B)) (如屬位於鄉郊地區臨時用途/發展的規劃許可續期，請填寫(B)部分)	
(a) Proposed use(s)/development 擬議用途/發展	Shop and Services, Place of Entertainment, Place of Recreation, Sports or Culture (Barbecue Site) and Public Vehicle Park (excluding container vehicle) (Please illustrate the details of the proposal on a layout plan) (請用平面圖說明擬議詳情)
(b) Effective period of permission applied for 申請的許可有效期	☒ year(s) 年 3 ☐ month(s) 個月
(c) Development Schedule 發展細節表	
Proposed uncovered land area 擬議露天土地面積	23,555.17sq.m ☐ About 約
Proposed covered land area 擬議有上蓋土地面積	5,479.11sq.m ☐ About 約
Proposed number of buildings/structures 擬議建築物/構築物數目	45
Proposed domestic floor area 擬議住用樓面面積	sq.m ☐ About 約
Proposed non-domestic floor area 擬議非住用樓面面積	5,479.11sq.m ☐ About 約
Proposed gross floor area 擬議總樓面面積	5,479.11sq.m ☐ About 約
Proposed height and use(s) of different floors of buildings/structures (if applicable) 建築物/構築物的擬議高度及不同樓層的擬議用途 (如適用) (Please use separate sheets if the space below is insufficient) (如以下空間不足，請另頁說明) Please see attached Supplementary Planning Statement	
Proposed number of car parking spaces by types 不同種類停車位的擬議數目	
Private Car Parking Spaces 私家車車位	122
Motorcycle Parking Spaces 電單車車位	
Light Goods Vehicle Parking Spaces 輕型貨車泊車位	6
Medium Goods Vehicle Parking Spaces 中型貨車泊車位	
Heavy Goods Vehicle Parking Spaces 重型貨車泊車位	
Others (Please Specify) 其他 (請列明) Coaches and Buses	30
Proposed number of loading/unloading spaces 上落客貨車位的擬議數目	
Taxi Spaces 的士車位	6
Coach Spaces 旅遊巴車位	1
Light Goods Vehicle Spaces 輕型貨車車位	6
Medium Goods Vehicle Spaces 中型貨車車位	4
Heavy Goods Vehicle Spaces 重型貨車車位	
Others (Please Specify) 其他 (請列明)	

Proposed operating hours 擬議營運時間 Application Site A: 7:00 a.m. to 11:00 p.m., from Monday to Sunday including public holidays; and Application Site B: 24 hours, from Monday to Sunday including public holidays			
(d) Any vehicular access to the site/subject building? 是否有車路通往地盤/ 有關建築物?	Yes 是	☒ There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用))	
	No 否	☒ There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示, 並註明車路的闊度)	
(e) Impacts of Development Proposal 擬議發展計劃的影響 (If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures. 如需要的話, 請另頁表示可盡量減少可能出現不良影響的措施, 否則請提供理據/理由。)			
(i) Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動?	Yes 是	☐ Please provide details 請提供詳情	
	No 否	☒	
(ii) Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程?	Yes 是	☐ (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地/池塘界線, 以及河道改道、填塘、填土及/或挖土的細節及/或範圍) ☐ Diversion of stream 河道改道 ☐ Filling of pond 填塘 Area of filling 填塘面積 sq.m 平方米 ☐ About 約 Depth of filling 填塘深度 m 米 ☐ About 約 ☐ Filling of land 填土 Area of filling 填土面積 sq.m 平方米 ☐ About 約 Depth of filling 填土厚度 m 米 ☐ About 約 ☐ Excavation of land 挖土 Area of excavation 挖土面積 sq.m 平方米 ☐ About 約 Depth of excavation 挖土深度 m 米 ☐ About 約	
	No 否	☒	
(iii) Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響?	On environment 對環境 On traffic 對交通 On water supply 對供水 On drainage 對排水 On slopes 對斜坡 Affected by slopes 受斜坡影響 Landscape Impact 構成景觀影響 Tree Felling 砍伐樹木 Visual Impact 構成視覺影響 Others (Please Specify) 其他 (請列明)		Yes 會 ☐ No 不會 ☒ Yes 會 ☐ No 不會 ☒ Yes 會 ☐ No 不會 ☒ Yes 會 ☐ No 不會 ☒ Yes 會 ☐ No 不會 ☒ Yes 會 ☐ No 不會 ☒ Yes 會 ☐ No 不會 ☒ Yes 會 ☐ No 不會 ☒ Yes 會 ☐ No 不會 ☒ Yes 會 ☐ No 不會 ☒

	Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at breast height and species of the affected trees (if possible) 請註明盡量減少影響的措施。如涉及砍伐樹木，請說明受影響樹木的數目、及胸高度的樹幹直徑及品種(倘可) N/A
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(B) Renewal of Permission for Temporary Use or Development in Rural Areas**位於鄉郊地區臨時用途發展的許可續期**

(a) Application number to which the permission relates 與許可有關的申請編號	A/ _____ / _____
(b) Date of approval 獲批給許可的日期	 (DD 日/MM 月/YYYY 年)
(c) Date of expiry 許可屆滿日期	 (DD 日/MM 月/YYYY 年)
(d) Approved use/development 已批給許可的用途／發展	
(e) Approval conditions 附帶條件	☐ The permission does not have any approval condition 許可並沒有任何附帶條件 ☐ Applicant has complied with all the approval conditions 申請人已履行全部附帶條件 ☐ Applicant has not yet complied with the following approval condition(s): 申請人仍未履行下列附帶條件： Reason(s) for non-compliance: 仍未履行的原因： (Please use separate sheets if the space above is insufficient) (如以上空間不足，請另頁說明)
(f) Renewal period sought 要求的續期期間	☐ year(s) 年 ☐ month(s) 個月

7. Justifications 理由

The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary.
現請申請人提供申請理由及支持其申請的資料。如有需要，請另頁說明）。

Please see attached Supplementary Planning Statement

8. Declaration 聲明

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief.
本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in an application to the Board and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.
本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature
簽署

Kong Chee Cheung

☐ Applicant 申請人 / ☒ Authorised Agent 獲授權代理人

KONG CHEE CHEUNG BSc(Econ)(Hons) LLB (HONS)

Director

Name in Block Letters
姓名（請以正楷填寫）

Position (if applicable)
職位（如適用）

Professional Qualification(s)
專業資格

- ☒ Member 會員 / ☐ Fellow of 資深會員
☐ HKIP 香港規劃師學會 / ☐ HKIA 香港建築師學會 /
☒ HKIS 香港測量師學會 / ☐ HKIE 香港工程師學會 /
☐ HKILA 香港園境師學會 / ☐ HKIUD 香港城市設計學會

Others 其他

on behalf of
代表 Land Supreme Surveyors Limited

☒ Company 公司 / ☐ Organisation Name and Chop (if applicable) 機構名稱及蓋章（如適用）

Date 日期

17/06/2020 (DD/MM/YYYY 日/月/年)

**Remark 備註**

The materials submitted in an application to the Board and the Board's decision on the application would be disclosed to the public. Such materials would also be uploaded to the Board's website for browsing and free downloading by the public where the Board considers appropriate.

委員會會向公眾披露申請人所遞交的申請資料和委員會對申請所作的決定。在委員會認為合適的情況下，有關申請資料亦會上載至委員會網頁供公眾免費瀏覽及下載。

Warning 警告

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance.

任何人在明知或故意的情況下，就這宗申請提出在任何要項上是虛假的陳述或資料，即屬違反《刑事罪行條例》。

Statement on Personal Data 個人資料的聲明

1. The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes:

委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

- (a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and
處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及
 (b) facilitating communication between the applicant and the Secretary of the Board/Government departments.
方便申請人與委員會秘書及政府部門之間進行聯絡。

2. The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.

申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第1段提及的用途。

3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.

根據《個人資料(私隱)條例》(第486章)的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道333號北角政府合署15樓。

Gist of Application 申請摘要	
(Please provide details in both English and Chinese <u>as far as possible</u> . This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and deposited at the Planning Enquiry Counters of the Planning Department for general information.) (請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及存放於規劃署規劃資料查詢處以供一般參閱。)	
Application No. 申請編號	(For Official Use Only) (請勿填寫此欄) A/FLN/22
Location/address 位置/地址	Lots Nos. 517 RP, 518 RP, 521 RP, 522, 523 RP, 524 RP, 525, 526, 527 RP, 532 RP (Portion), 533 RP (Portion), 534 RP (Portion), 539 (Portion), 540 (Portion), 541 (Portion), 542 (Portion), 543 (Portion), 544, 545, 547 (Portion), 548 (Portion), 551 (Portion), 552 and 553, and Adjoining Government Land in D.D. 51 Fu Tei Au and Shek Wu San Tsuen, Sheung Shui, North, New Territories
Site area 地盤面積	29,034.28 sq. m 平方米 ☒ About 約 (includes Government land of 包括政府土地 7,713.66 sq. m 平方米 ☒ About 約)
Plan 圖則	Approved Fanling North Outline Zoning Plan No. S/FLN/2 and Approved Fu Tei Au and Sha Ling Outline Zoning Plan No. S/NE-FTA/16
Zoning 地帶	"Government, Institution or Community", "Open Space", "Road", "Other Specified Uses (Sewage Pumping Station)", "Other Specified Uses" annotated "Amenity Area" & "Agriculture"
Type of Application 申請類別	☒ Temporary Use/Development in Rural Areas for a Period of 位於鄉郊地區的臨時用途/發展為期 ☒ Year(s) 年 <u>3</u> ☐ Month(s) 月 _____ ☐ Renewal of Planning Approval for Temporary Use/Development in Rural Areas for a Period of 位於鄉郊地區臨時用途/發展的規劃許可續期為期 ☐ Year(s) 年 _____ ☐ Month(s) 月 _____
Applied use/ development 申請用途/發展	Shop and Services, Place of Entertainment, Place of Recreation, Sports or Culture (Barbecue Site) and Public Vehicle Park (excluding container vehicle)

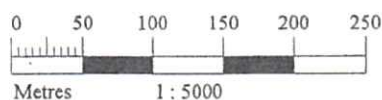
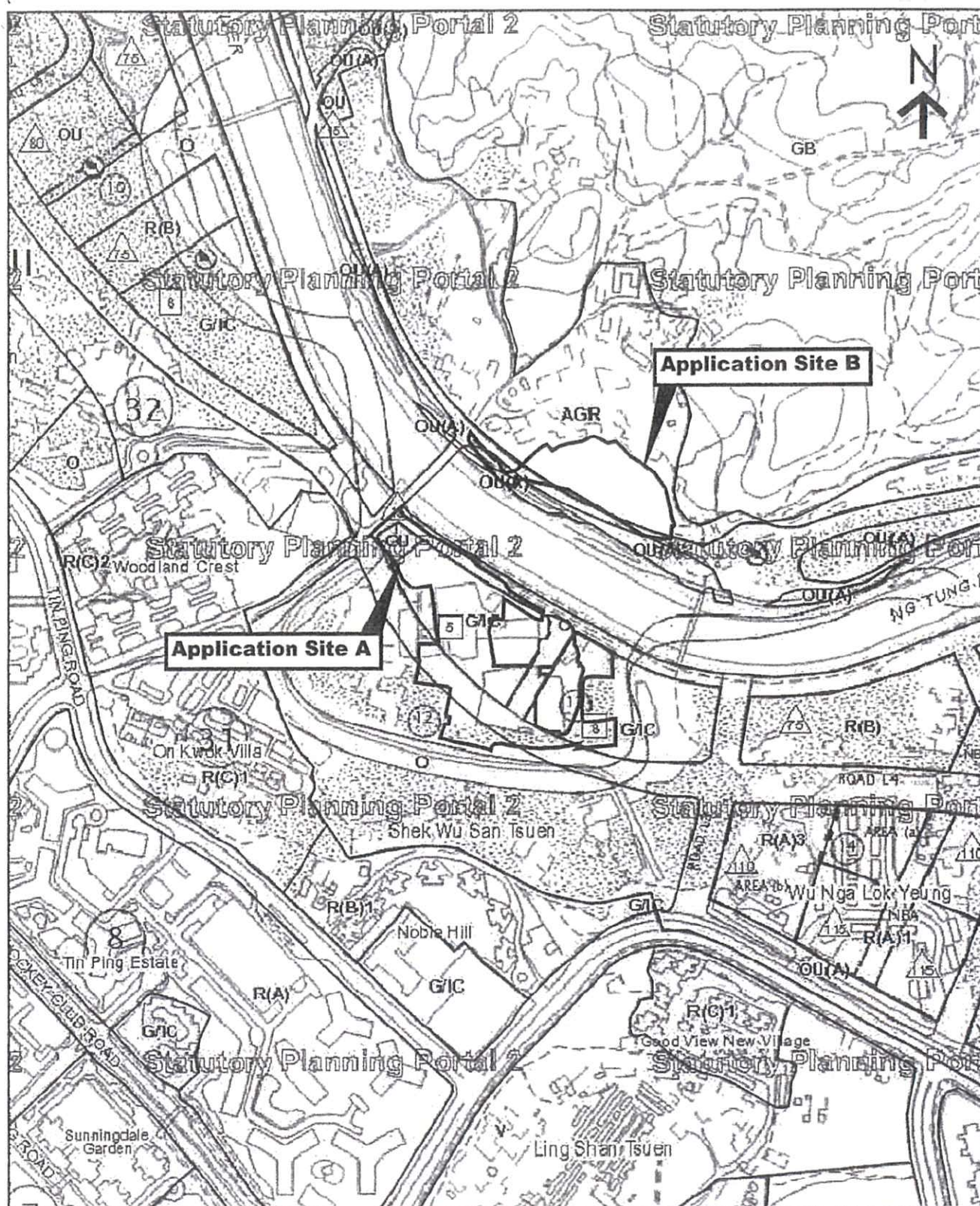
(i) Gross floor area and/or plot ratio 總樓面面積及／或地積比率		sq.m 平方米	Plot Ratio 地積比率
	Domestic 住用	☐ About 約 ☐ Not more than 不多於	☐ About 約 ☐ Not more than 不多於
	Non-domestic 非住用	5,479.11 ☒ About 約 ☐ Not more than 不多於	0.1887 ☒ About 約 ☐ Not more than 不多於
(ii) No. of block 幢數	Domestic 住用		
	Non-domestic 非住用		
(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	m 米 ☐ (Not more than 不多於)	
		Storeys(s) 層 ☐ (Not more than 不多於)	
	Non-domestic 非住用	4.5	☒ (Not more than 不多於)
		One	☒ (Not more than 不多於)
(iv) Site coverage 上蓋面積	0.1887 % ☒ About 約		
(v) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數		158
	Private Car Parking Spaces 私家車車位		122
	Motorcycle Parking Spaces 電單車車位		
	Light Goods Vehicle Parking Spaces 輕型貨車泊車位		6
	Medium Goods Vehicle Parking Spaces 中型貨車泊車位		
	Heavy Goods Vehicle Parking Spaces 重型貨車泊車位		
	Others (Please Specify) 其他 (請列明)		
	Coaches/Buses		30
	Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位／停車處總數		7
	Taxi Spaces 的士車位		6
	Coach Spaces 旅遊巴車位		1
	Light Goods Vehicle Spaces 輕型貨車車位		6
	Medium Goods Vehicle Spaces 中型貨車車位		4
	Heavy Goods Vehicle Spaces 重型貨車車位		
	Others (Please Specify) 其他 (請列明)		

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件

	<u>Chinese</u> 中文	<u>English</u> 英文
<u>Plans and Drawings 圖則及繪圖</u>		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	☐	☒
Block plan(s) 樓宇位置圖	☐	☐
Floor plan(s) 樓宇平面圖	☐	☐
Sectional plan(s) 截視圖	☐	☐
Elevation(s) 立視圖	☐	☐
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	☐	☐
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	☐	☐
Others (please specify) 其他（請註明）	☐	☐
<u>Reports 報告書</u>		
Planning Statement/Justifications 規劃綱領/理據	☐	☒
Environmental assessment (noise, air and/or water pollutions) 環境評估（噪音、空氣及／或水的污染）	☐	☐
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	☐	☐
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	☐	☐
Visual impact assessment 視覺影響評估	☐	☐
Landscape impact assessment 景觀影響評估	☐	☐
Tree Survey 樹木調查	☐	☐
Geotechnical impact assessment 土力影響評估	☐	☐
Drainage impact assessment 排水影響評估	☐	☐
Sewerage impact assessment 排污影響評估	☐	☐
Risk Assessment 風險評估	☐	☐
Others (please specify) 其他（請註明）	☐	☐
Note: May insert more than one 「✓」. 註：可在多於一個方格內加上「✓」號		

Note: The information in the Gist of Application above is provided by the applicant for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

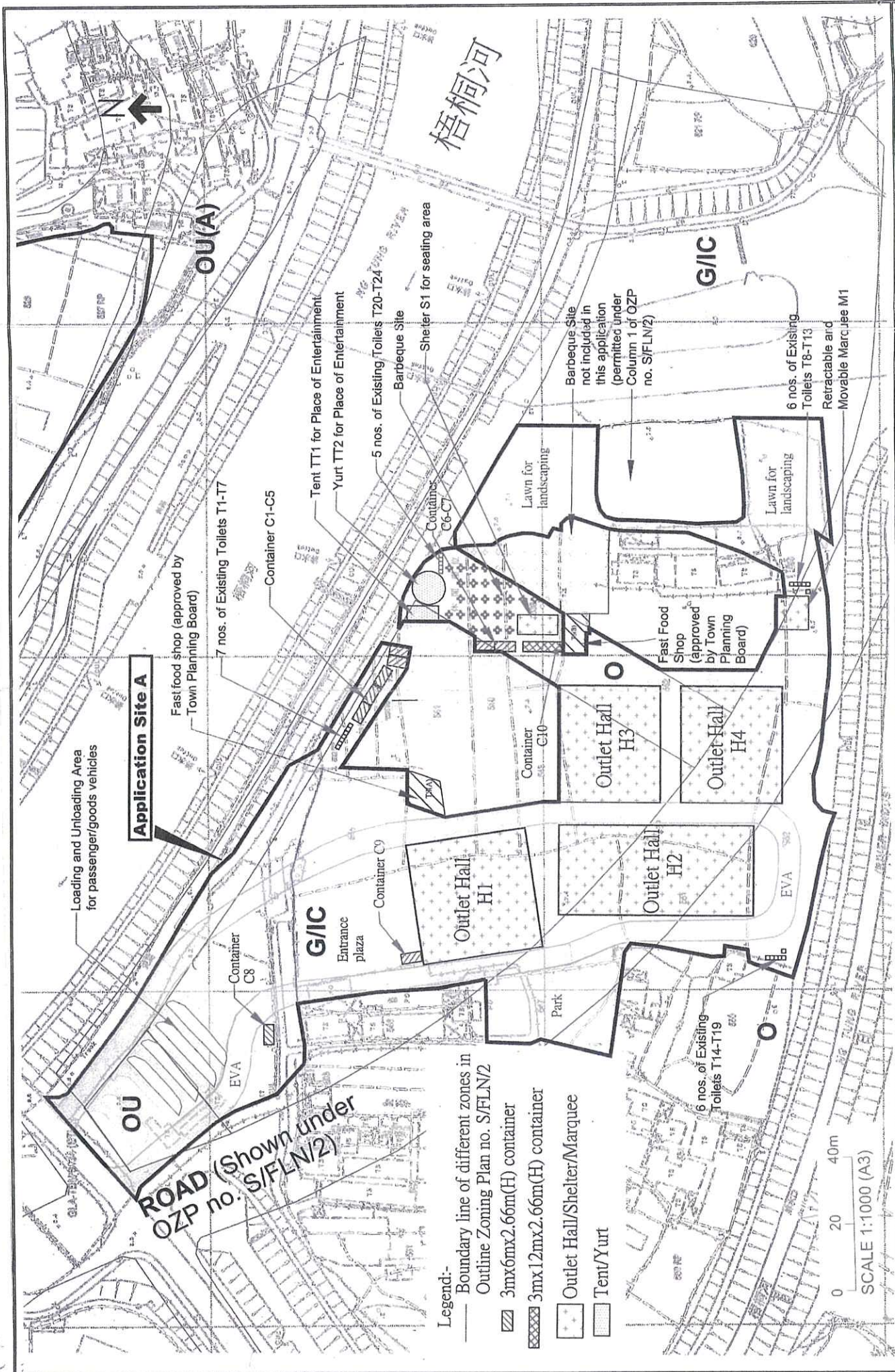
註：上述申請摘要的資料是由申請人提供以方便市民大眾參考。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。



Outline Zoning Plan

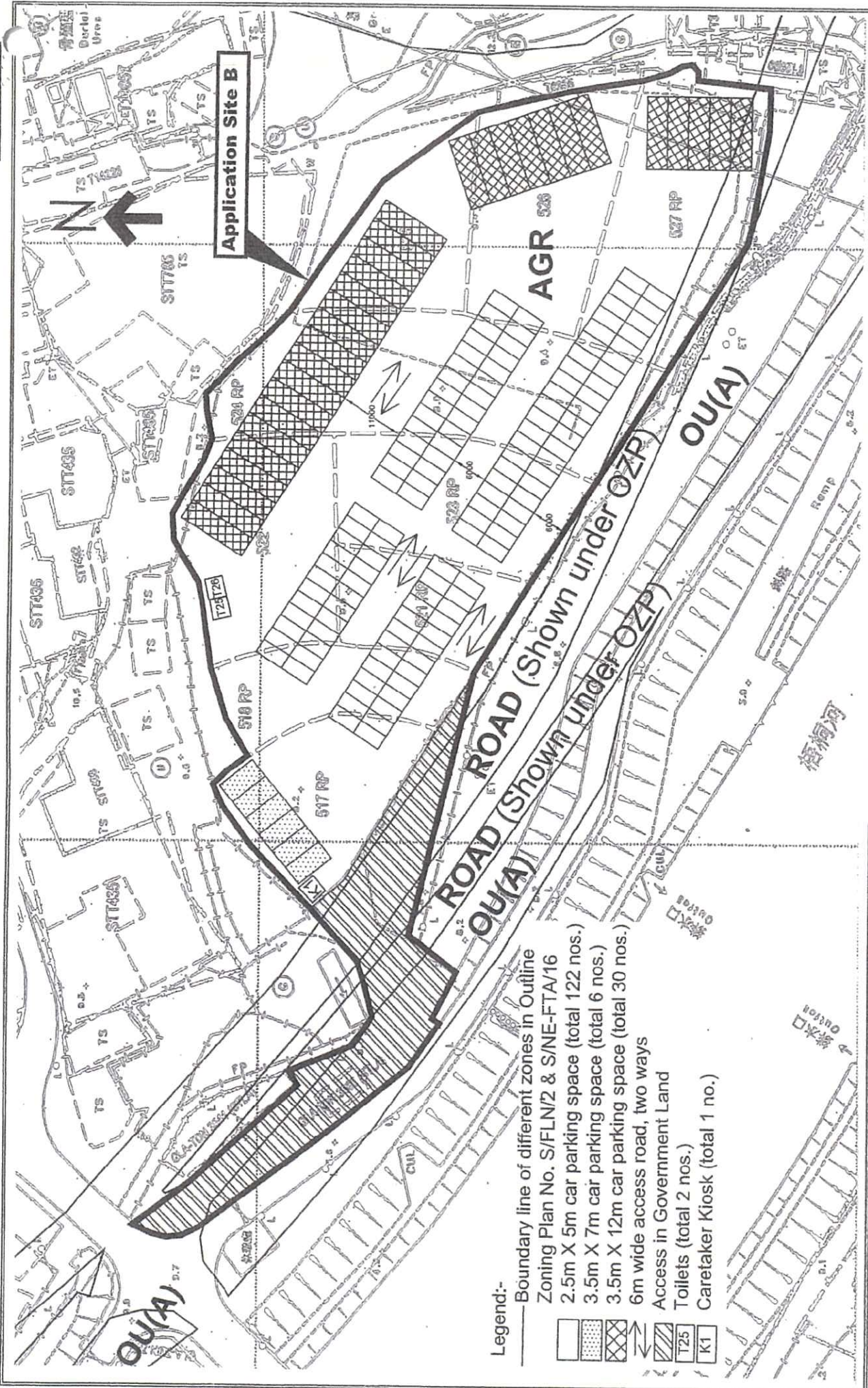
Extracted from Approved
Fanling North OZP No. S/FLN/2 and Fu Tei Au
and Sha Ling OZP No. S/NE-FTA/16

Scale 1 : 5000



Legend:-

- Boundary line of different zones in Outline Zoning Plan no. S/FLN/2
- ▨ 3mx6mx2.66m(H) container
- ▤ 3mx12mx2.66m(H) container
- Outlet Hall/Shelter/Marquee
- Tent/Yurt



Site Layout Plan of Application Site B

Scale 1 : 800

Land Supreme Surveyors Ltd.
滙盈測量師行有限公司

Hong Kong
Tel
Fax:

電話
傳真

Our Ref.: (15) in LSS/N/2272

3 July 2020

The Secretary
Town Planning Board
15/F North Point Government Offices
333 Java Road
North Point
Hong Kong

2020年 7月 7日

此文件在 收到・城市規劃委員會
只會在收到所有申請資料及文件後才正式確認收到
申請

This document is received on 7 JUL 2020
The Town Planning Board will formally acknowledge
the date of receipt of the application only upon receipt
of all the required information and documents.

Dear Sir/Madam,

**Section 16 Planning Application for
Temporary Shop and Services, Place of Entertainment,
Place of Recreation, Sports or Culture (Barbecue Site) and
Public Vehicle Park (excluding container vehicle) for a Period of 3 Years
at Lots Nos. 517 RP, 518 RP, 521 RP, 522, 523 RP, 524 RP, 525, 526,
527 RP, 532 RP (Portion), 533 RP (Portion), 534 RP (Portion),
539 (Portion), 540 (Portion), 541 (Portion), 542 (Portion), 543 (Portion),
544, 545, 547 (Portion), 548 (Portion), 551 (Portion), 552 and 553,
and Adjoining Government Land in D.D. 51
Fu Tei Au and Shek Wu San Tsuen, Sheung Shui, North, New Territories**

We refer to the subject application, and write to clarify the following points:

- (a) "Other Specified Uses" annotated "Sewage Pumping Station"
All references to the zoned use of "Other Specified Uses" ("OU") in the Supplementary Planning Statement refer to "Other Specified Uses" annotated "Sewage Pumping Station" ("OU (Sewage Pumping Station)"). In this connection, we also enclose a copy each of the amended Executive Summary in both English and Chinese;
- (b) Layout of Loading and Unloading Area at Application Site A
A plan showing the Layout of the Loading and Unloading Area at Application Site A is attached for your reference;
- (c) Legend on the Plan at Appendix D2 of Supplementary Planning Statement
The types of vehicles to be allowed for the different sizes of car parking spaces are as follows:-

Dimensions of Car Parking Spaces	Types of Vehicles to be Allowed
2.5 m x 5 m	Private Vehicles
3.5 m x 7 m	Light Goods Vehicles
3.5 m x 12 m	Coaches and Buses

Should you require further information or clarifications, please contact the undersigned on

Yours faithfully,
For and on behalf of
Land Supreme Surveyors Ltd.

Kong Chee Cheung

Kong Chee Cheung
BSc(Econ)(Hons) LLB(Hons)
MRICS MHKIS RPS(GP)
Director

CCK/jc

Encls.

Executive Summary

- Application Sites : Application Site A:-
Lots Nos. 532 RP (Portion), 533 RP (Portion),
534 RP (Portion), 539 (Portion), 540 (Portion), 541 (Portion),
542 (Portion), 543 (Portion), 544, 545, 547 (Portion),
548 (Portion), 551 (Portion), 552 and 553, and Adjoining
Government Land in D.D. 51, Shek Wu San Tsuen, Sheung
Shui, North, New Territories
- Application Site B:-
Lots Nos. 517 RP, 518 RP, 521 RP, 522, 523 RP, 524 RP, 525,
526 and 527 RP, and Adjoining Government Land in D.D. 51,
Fu Tei Au, Sheung Shui, North, New Territories
- Site Area : 29,034.28 m² (about)
- Plans : Approved Fanling North Outline Zoning Plan No. S/FLN/2 and
Approved Fu Tei Au and Sha Ling S/NE-FTA/16
- Current Zoning : "Government, Institution or Community", "Open Space",
"Other Specified Uses" annotated "Sewage Pumping Station",
"Other Specified Uses" annotated "Amenity Area", "Road" and
"Agriculture"
- Application : The total population of the North district is around 320,000
persons as at 2019. In addition, there are a lot of cross-border
tourists and shoppers before mid-2019. It is expected that
when the situation returns to normal, these tourists and
shoppers will come back to Hong Kong again. However,
there are insufficient balanced shopping facilities with
recreation and leisure within an integral place in the North
district. In this Application, uses for Shop and Services,
Place of Entertainment, Place of Recreation, Sports or Culture
(Barbecue Site) and Public Vehicle Park (excluding container
vehicle) are applied. This Application can provide wide
variety in retail, fast food and game/leisure/fun to satisfy
demand of the customers in the coming 3 years with the
provision of car parks. In the coming 3 years, it is considered
that the applied shop and services with various uses are not an
incompatible land use.

內容摘要

- 申請地點 : 申請地點 A:-
新界北區上水石湖新村丈量約份第 51 約地段 532 RP (部分), 533 RP (部分), 534 RP (部分), 539 (部分), 540 (部分), 541 (部分), 542 (部分), 543 (部分), 544, 545, 547 (部分), 548 (部分), 551 (部分), 552 及 553, 及附近政府地
- 申請地點 B:-
新界北區上水虎地坳丈量約份第 51 約地段 517 RP, 518 RP, 521 RP, 522, 523 RP, 524 RP, 525, 526 及 527 RP, 及附近政府地
- 申請地點面積 : 29,034.28 平方米 (約)
- 有關法定圖則
的名稱及編號 : 粉嶺北分區計劃大綱核准圖編號 S/FLN/2 及
虎地坳及沙嶺分區計劃大綱核准圖編號 S/NE-FTA/16
- 涉及的土地用
途地帶 : “政府、機構或社區”, “休憩用地”, “其他指定用途”
註釋 “污水抽水站”, “其他指定用途” 註釋 “美化市容
地帶”, “道路” 及 “農業”
- 規劃申請 : 2019 年北區人口約 320,000, 另 2019 年上半年有相當多數目的
過境旅客, 但是在北區沒有足夠的購物地點提供平衡的
購物、康樂及休閒設施, 這申請在未來三年可以滿足這些
需求, 另可提供相關的泊車位, 故提出這商店及服務行業
、娛樂場所、康體文娛場所(燒烤場)及公眾停車場(貨櫃車
除外)用途的短期申請, 為期 3 年, 符合本區及過境旅客的
各項需要, 並會與周邊的發展協調, 使土地在未來 3 年充
份有效運用。

Annotation
TAXI - 2.5m x 5m taxi
LGV - 3m x 7m light goods vehicle
MGV - 3m x 11m medium goods vehicle
COACH - 3m x 12m coach

Annotation

TAXI - 2 5m x 5m taxi

1 CV 2m x 7m light woods - 1:1:1

LGV = 3m x 7m light goods vehicle

MGV - 3m x 11m medium goods vehicle

COACH - 3m x 12m coach

Container
C8

C/G

Entrance
plaza

An aerial photograph of a road network, likely in an urban or suburban area. A large, bold, black text overlay is positioned diagonally across the center of the image. The text reads "ROAD (Shown under OZP no. S/FLN/2)". The background shows various roads, some with lane markings, and some areas that appear to be undeveloped or under construction. The text is a key indicator for the location of a specific road within a particular planning zone.

Our Ref.: (20) in LSS/N/2272
Your Ref.: TPB/A/FLN/22

By Email Only

26 August 2020

The Secretary
Town Planning Board
15/F North Point Government Offices
333 Java Road
North Point
Hong Kong

Dear Sir/Madam,

**Section 16 Planning Application No. A/FLN/22 for
Temporary Shop and Services, Place of Entertainment,
Place of Recreation, Sports or Culture (Barbecue Site) and
Public Vehicle Park (excluding container vehicle) for a Period of 3 Years
at Lots Nos. 517 RP, 518 RP, 521 RP, 522, 523 RP, 524 RP, 525, 526,
527 RP, 532 RP (Portion), 533 RP (Portion), 534 RP (Portion),
539 (Portion), 540 (Portion), 541 (Portion), 542 (Portion), 543 (Portion),
544, 545, 547 (Portion), 548 (Portion), 551 (Portion), 552 and 553,
and Adjoining Government Land in D.D. 51
Fu Tei Au and Shek Wu San Tsuen, Sheung Shui, North, New Territories**

We refer to the subject application, and attach our responses to the comments made by DEP for your further action on the subject Application. Should you require further information or clarifications, please contact the undersigned on

Thank you.

Yours faithfully,
For and on behalf of
Land Supreme Surveyors Ltd.



Kong Chee Cheung
BSc(Econ)(Hons) LLB(Hons)
MRICS MHKIS RPS(GP)
Director

CCK/jc

Encl.

c.c. DPO/FS&YLE (Attn.: Messrs Patrick M.Y. FUNG and)
Jeffrey P.K. WONG))
DEP (Attn.: Mr Felix L.L. TAI))

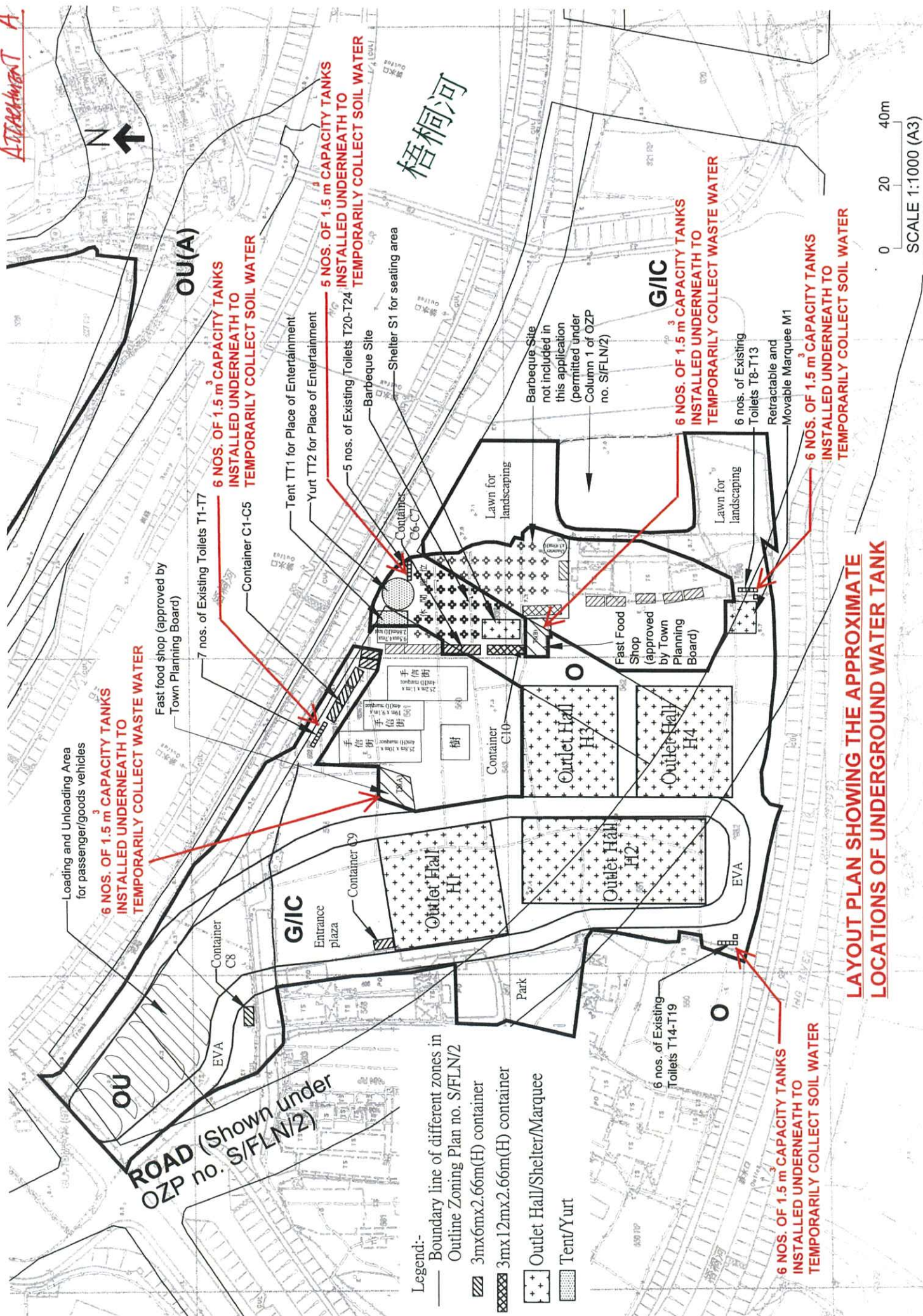
By Email

Responses to Director of Environmental Protection's Comments

Comments received:		Responses:
1.	From: DEP (Mr Felix TAI, Tel: 2835 1845 Email: felixtai@epd.gov.hk)	
(a)	Having reviewed the application and its supporting documents, we <u>cannot lend support to the application</u> at this stage until the applicant provides further elaborations on following:-	Please see our Responses below:-
(i)	Wastewater treatment and disposal to address the handling and disposal of sewage generation from barbecue sites and toilet use;	Wastewater and soil water will be collected in underground tanks and disposed off site regularly by pump truck at regular interval. For information, there are totally 6 numbers of 1.5 m³ capacity tanks already installed underneath Toilets T1-T7, 6 numbers 1.5 m³ capacity tanks underneath Toilets T8-T13, 6 numbers of 1.5 m³ capacity tanks underneath Toilets T14-T19, and 5 numbers of 1.5 m³ capacity tanks underneath Toilets T20-T24. Moreover, there are also 6 numbers of 1.5 m³ capacity tanks installed underground each for the temporary storage of wastewater at the TS (A) and TS(B). The attached plan in Attachment A showing the approximate locations of the water tanks refers. There are totally 35 number of 1.5 m³ capacity underground tank to temporarily collect those waste water generated. Total capacity will be 1.5 m³ x 35 = 52.5 m³. <u>BBQ activity</u> Owing to peculiar dining nature of the BBQ activity, the BBQ site will be operated only between 6:00 pm to 11:00 pm. BBQ activity is not purely a dining activity but also consist of gathering function. The tables in the BBQ site can afford to serve only one round of customer. From the layout plan for the BBQ site, the site can accommodate 300 visitors per day. This short duration visitor may be assessed as equivalent to a population of 300 x 0.3125= 93.75. <i>*Note : apart from sleeping time, normal person generates waste water within 16 hours per day, assume the BBQ visitor stays 5 hours in the site, this is equivalent to 5/16 =0.31 of a normal population to have opportunity to generate waste water.</i> Based on the design parameter in Appendix 2 of the "Guidelines for the design of small treatment plant" of EPD and classified the visitors performs under the category "Services (shop etc.)" the waste water generated will be

		70 x 93.75= 6563 l/day or 6.56 m³ per day. This will be deemed to be adequate for there are totally 11 number of 1.5m³ capacity underground tanks installed adjacent to the BBQ site and the waste water is planned to be pumped out and disposed off site on daily basis. <i>*Note : The assumption adopting waste water generated 70l per day for shop visitor (which is equivalent to go to toilet 7 times within a duration of 16 hours) is appropriate</i> <u>Retailing/ shop activity</u> Total GFA for the retailing/shop service is 5200 m². Based on each visitor occupies 3 m² as stipulated in Table B1 of the Code of Practice for Fire Safety in Buildings 2011 of Buildings Department. The site can accommodate 5200/3=1733 at one time. Base on experience of the trade that the total visitors per day is about 3 times the peak time, the number of visitor per day =1,733 x 3 = 5,200 The average duration time for visitor is about 2 hours, the amount of visitor equivalent population = 2/16 x 5200=650 The wastewater generated will be 70 x650= 45,500 l/day or 45.5 m³ per day. Total wastewater generate per day for the whole site = 6.56 + 45.5=52.06 m³ per day. This is less than 52.5 m³ per day, the total capacity of all the 35 number of tanks. <u>The disposing of the waste water off site on daily basis is adequate.</u>
(ii)	Clarification on any effluent discharging into the Ng Tung River, and measures to prevent from such discharge. Otherwise, discharge license from EPD should be obtained prior to discharging;	All the wastewater and soil water of the Application Site A will be collected temporarily by tanks installed underground before disposal off site by pump truck. Wastewater collected from Application Site B, which is mainly from the 2 mobile toilets, will be disposed off site regularly by the contractor of the 2 mobile toilets. Therefore, there will be no effluent discharging into the adjacent Ng Tung River.
(iii)	Demonstration of any management measures to minimize potential noise nuisance from the proposed use, such as prohibiting the use of public announcement system portable loudspeakers or any form of audio amplification system; and	To avoid noise nuisance to the surrounding environment, public announcement system, portable loudspeaker or any form of audio amplification system for providing background music will be prohibited to be installed or used on both Application Sites. Owing to peculiar dining nature of the BBQ activity, the BBQ site will be operated only between 6:00 pm to 11:00 pm, but the last order will be announced at 10:30pm. This management practice will be imposed for all the week days, Saturday, Sunday and Public Holidays. As mentioned in the previous response, public announcement

		system, portable loudspeakers or any form of audio amplification system for providing background music will be prohibited to be installed or used. The applicant opines that this should be the most effective way to avoid noise nuisance to the public after 11:00 pm.
(iv)	Demonstration of any light nuisance control measures to minimize potential light pollution from the carpark operation, in accordance with the "Guidelines on Industry Best Practices for External Lighting Installations" issued by Environment Bureau in June 2015 https://www.enb.gov.hk/sites/default/files/en/node78/guidelines_ex_lighting_install_eng.pdf).	From section 8 "Light nuisance control measures" in the ENB's guideline (Guideline) there are 8 measures to reduce light nuisance. In Application Site B, to avoid light pollution and to minimize the light nuisance due to the car park operation, the following light nuisance control measures will be adopted:- 1. Except light boxes for relevant indicative directional purpose, no signage of light box type will be allowed to be installed. These directional indicative light boxes will not be of flickering type and of colour changing type with movement effect. This will comply with the requirement in 8(a) and 8(f) of the Guideline; 2. Only those lightings essential for illumination of the access road, the parking spaces as well as for security and operation purpose will be installed. These lighting facilities will not be over illuminated and will be positioned and aimed in such a manner to avoid overspill to the surround area. This will comply with the requirement in 8(a) and 8(b) of the Guideline; and 3. For conservation of energy, the lighting adopted will be mainly LED type equipped with suitable baffles or optic diffusers to control light distribution thus reducing sign luminance and light overspill and to prevent glare from direct view of the light source. This will comply with the requirement in 8(d) and 8(g) of the Guideline.



LAYOUT PLAN SHOWING THE APPROXIMATE LOCATIONS OF UNDERGROUND WATER TANK

The UNDERGROUND Tank.



CONNECTION OF SEWERS FROM TOILET TO UNDERGROUND TANKS.

Land Supreme Surveyors Ltd.
滙盈測量師行有限公司

Hong Kong
Tel.
Fax:

電話:
傳真:

Our Ref.: (22) in LSS/N/2272
Your Ref.: TPB/A/FLN/22

By Email Only

27 August 2020

The Secretary
Town Planning Board
15/F North Point Government Offices
333 Java Road
North Point
Hong Kong

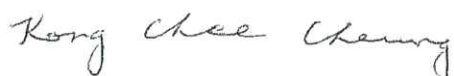
Dear Sir/Madam,

Section 16 Planning Application No. A/FLN/22
Temporary Shop and Services, Place of Entertainment,
Place of Recreation, Sports or Culture (Barbecue Site) and
Public Vehicle Park (excluding container vehicle) for a Period of 3 Years
at Lots Nos. 517 RP, 518 RP, 521 RP, 522, 523 RP, 524 RP, 525, 526,
527 RP, 532 RP (Portion), 533 RP (Portion), 534 RP (Portion),
539 (Portion), 540 (Portion), 541 (Portion), 542 (Portion), 543 (Portion),
544, 545, 547 (Portion), 548 (Portion), 551 (Portion), 552 and 553,
and Adjoining Government Land in D.D. 51
Fu Tei Au and Shek Wu San Tsuen, Sheung Shui, North, New Territories

We refer to the subject application, and attach our responses to the departmental comments received for your further action on the above Application. Should you require further information or clarifications, please contact the undersigned on

Thank you.

Yours faithfully,
For and on behalf of
Land Supreme Surveyors Ltd.



Kong Chee Cheung
BSc(Econ)(Hons) LLB(Hons)
MRICS MHKIS RPS(GP)
Director

CCK/jc

Encl.

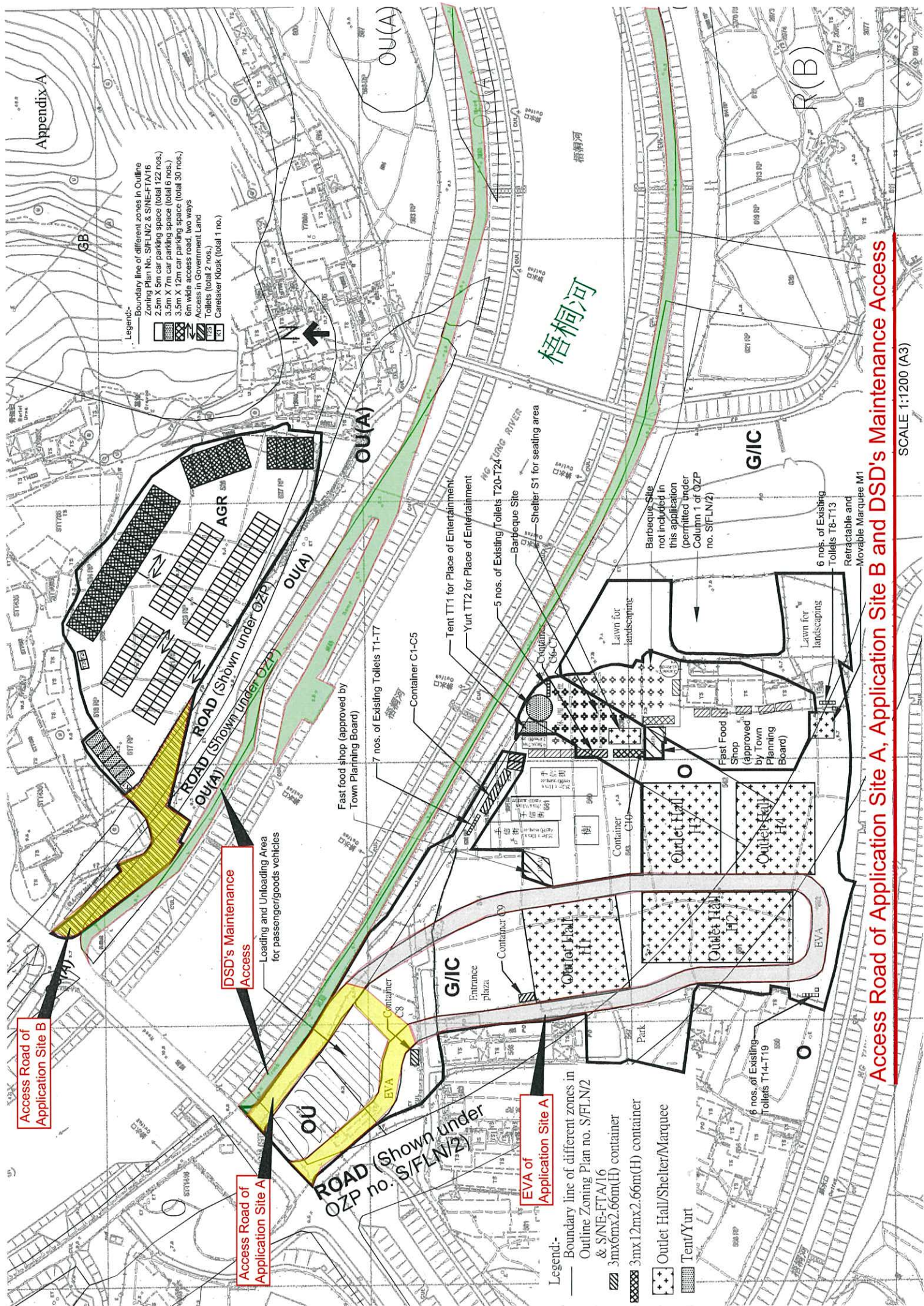
c.c. DPO/FS&YLE (Attn.: Messrs Patrick M.Y. FUNG and)
Jeffrey P.K. WONG))
CTP/UD & L, PD (Attn.: Ms Tammy CHEUNG))
DSD (Attn.: Mr Henry YU))

By Email

Responses to Departmental Comments

Comments received:		Responses:
1.	From: CTP/UD&L (Ms Tammy Cheung, Tel: 2231 4852 Email: tkychung@pland.gov.hk)	
(a)	Specific comments on Site B:	Please see our Responses below:-
(i)	Majority of Site B falls into an area zoned "AGR". Based on aerial photo of 2019 and site photos under Appendix E of the Planning Statement, Site B is mostly bard paved and covered by patches of wild grass. No significant sensitive landscape resource is observed. Compared with aerial photo of 2015, existing vegetation within Site B had been removed and site formation works had been conducted. Adverse landscape impact had taken place; and	The Applicant of Site B informed that they leased the land in mid-2017. The site condition shown in aerial photo of 2015 was likely carried out by the former tenant as a logistics yard. Reinstatement works of Site B had been carried out by the former tenant to the satisfaction of the Chief Town Planner/Central Enforcement and Prosecution.
(ii)	According to the applicant's proposed layout and Planning Statement, Site B is proposed to be used mainly as vehicle park. Although further adverse landscape impact arising from the development is not anticipated, the proposed vehicle park that occupies over 6,800m ² of the subject "AGR" zone is considered extensive. Furthermore, according to record, no similar development has previously been approved by the TPB within the same "AGR" zone. Should the application be approved, it would set an undesirable precedent of such development in the "AGR" zone, and would encourage more similar development within the area and further into the same "AGR" zone. The cumulative impact of such approval would further degrade the landscape quality of the surrounding environment. In view of the above, we have <u>reservation on the proposed development at Site B</u> from the landscape planning perspective.	According to the Applicant, there is no waterstream nor irrigation reservoir in the immediate area of Site B nowadays. Well water is insufficient for a site area of Site B for irrigation purpose. After the realignment works of Ng Tung River were carried out in around 2000 and were completed in 2003, the water table is so low that it is difficult to extract water from a water well. Therefore, agricultural activity cannot be carried out at Site B unless tap water is used. This mode of irrigation is not encouraged by the AFCD. As such, no agricultural activity has been carried out at Site B since around 2 decades ago. The current application is only for 3 years. The landlord will try their best to resolve the source of water for irrigation purpose in the coming 3 years. It is considered that the current application for public vehicle park (excluding container vehicle) is an optimum use of Site B in connection with the applied uses at Site A in the coming 3 years. It is considered that the current applied short term use will not affect the long term zoned use. Application Site B will be reinstated to Government's satisfaction when the TPB approval expires. Furthermore, the Applicant agrees to include an approving condition to landscape Application Site B.

2.	From: DSD (Mr Henry YU, Tel: 2300 1407 Email: wcyu@dsd.gov.hk)	
(a)	The applicant should confirm that no DSD's existing maintenance access for the Ng Tung River would be affected by the proposed development.	The Applicants hereby confirm that no DSD's maintenance access for the Ng Tung River would be affected by the proposed development. This is because the accesses of Application Sites A and B are both independent of the DSD's maintenance accesses on both sides of Ng Tung River. The attached plan Appendix A refers.



Land Supreme Surveyors Ltd.
滙盈測量師行有限公司

Hong Kong

Tel:

Fax:

電話:

傳真

Our Ref.: (26) in LSS/N/2272

Your Ref.: TPB/A/FLN/22

By Email Only

28 August 2020

The Secretary
Town Planning Board
15/F North Point Government Offices
333 Java Road
North Point
Hong Kong

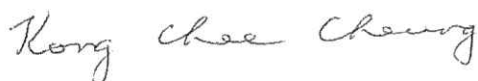
Dear Sir/Madam,

Section 16 Planning Application No. A/FLN/22
Temporary Shop and Services, Place of Entertainment,
Place of Recreation, Sports or Culture (Barbecue Site) and
Public Vehicle Park (excluding container vehicle) for a Period of 3 Years
at Lots Nos. 517 RP, 518 RP, 521 RP, 522, 523 RP, 524 RP, 525, 526,
527 RP, 532 RP (Portion), 533 RP (Portion), 534 RP (Portion),
539 (Portion), 540 (Portion), 541 (Portion), 542 (Portion), 543 (Portion),
544, 545, 547 (Portion), 548 (Portion), 551 (Portion), 552 and 553,
and Adjoining Government Land in D.D. 51
Fu Tei Au and Shek Wu San Tsuen, Sheung Shui, North, New Territories

We refer to the subject application, and attach our responses to DAFC's comments received for your further action on the above Application. Should you require further information or clarifications, please contact the undersigned on

Thank you.

Yours faithfully,
For and on behalf of
Land Supreme Surveyors Ltd.



Kong Chee Cheung
BSc(Econ)(Hons) LLB(Hons)
MRICS MHKIS RPS(GP)
Director

CCK/jc

Encl.

c.c. DPO/FS&YLE (Attn.: Messrs Patrick M.Y. FUNG and)
Jeffrey P.K. WONG))
DAFC (Attn.: Ms Chole NG))

By Email

Responses to DAFC's Comments

Comments received:		Responses:
1.	From: DAFC (Ms Chole NG, Tel: 2150 6931 Email: chole_cu_ng@afcd.gov.hk)	
(a)	The applicant seeks a planning approval on two application sites (Site A – to the south of Ng Tung River and Site B – to the north of Ng Tung River). For Site A, it falls within areas zoned “G/IC”, “O”, “OU (SPS)” and “Road”. It is currently comprised of paved vacant land, temporary structures and paved land used for open storage and barbecue site. I have no comments on non-agricultural proposals related to this application falling within Site A;	Noted.
(b)	As for Site B, it falls within areas zoned “AGR”, “OU(A)” and “Road” and is currently comprised of vegetable fields, abandoned land and paved vacant land. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. The subject site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc. As part of Site B is under active cultivation, and that the site possesses potential for agricultural rehabilitation, the application falling within Site B is not supported from agricultural point of view;	Please see the Responses in Paragraph (c) below. The Applicant is the current sub-tenant of Site B. The Applicant informs that the supply of water from a well for irrigation purpose is not a feasible option for Application Site B. As a matter of fact, there is neither water stream nor irrigation reservoir in the immediate area so as to extract water for irrigation purpose. The realignment works of Ng Tung River were carried out around 2000 and the works were completed around 2003. The aforesaid works improve the problem/risk of flooding in the area but it also lowers the water table as reported. As a result, well water is extremely difficult to be extracted for irrigation purpose. Tap water is the last resort but the use of tap water for irrigation purpose is not encouraged by AFCD. Based on the aerial photos, no agricultural activity has been carried out at Site B for almost past 20 years. A few years ago Site B was converted into a logistics yard by the former sub-tenant of Site B without seeking prior approval from the TPB. The breach was purged by the Enforcement Section of the Planning Department. The reinstatement works were carried out by the tenant of Site B. Rehabilitation of Site B for agricultural purpose is not feasible in the coming 3 years at least bearing in mind that Site B is already bounded by temporary structures on the east, west and north sides. To the further south is Ng Tung River. The Applicant agrees to include an approving condition to reinstate Site B to the satisfaction of the TPB upon the expiry of the TPB's approval should the Board approve this application. Furthermore, the Applicant agrees to include an approving condition for landscape works for Site B to the

		satisfaction of the TPB. It is considered that the current applied use will not affect the planning intention of the "Agriculture" zone as the current applied use is temporary for 3 years only. The issue of insufficient water for irrigation may be resolved thereafter. In addition, Site B will be landscaped to the satisfaction of the TPB so as enhance the landscape quality of the immediate area at a higher standard than the current state.
(c)	With respect to the supply of irrigation water, the farmer on-site advises that the irrigation water for his farm mainly comes from a well nearby, showing that supply of irrigation water from a well is a feasible option;	The Applicant informed that the "farmer" as called by DAFC is a trespasser. Legal action is being taken to evict him. The Applicant double-checked on site and reveals the following:- (i) The pump on site is out of order and cannot be used to extract water from the well; (ii) No electricity cable is connected to the pump; and (iii) The trespasser extracts water from a water pipe(s) for irrigation purpose probably without the prior approval of the Water Authority's permission. Requests with subject officers and other relevant officers of AFCD were made from 17 August 2020 to 27 August 2020 to carry out a joint inspection to verify the true facts on site but all requests were rejected without any reason. On 21 August 2020 Mr Wu (Tip Ming) of AFCD confirmed on phone that he and his supervisor had never asked the trespasser to demonstrate that the trespasser could turn on the pump to extract water from the well on site. The Applicant informs that the supply of water from a well for irrigation purpose is not a feasible option.
(d)	From nature conservation point of view, the northern side of Site A is immediately adjacent to a strip of ecological mitigation woodland and southern side of Site B is in close proximity to a strip of ecological mitigation woodland, which are both maintained by this Department for the public project "Main Drainage Channels for Fanling, Sheung Shui and Hinterlands". Should the subject application be approved, the applicant should be reminded to avoid disturbing any vegetation within the ecological mitigation woodland; and	Noted and precautionary measures will be taken by the Applicants.

(e)	Site A and Site B are in close proximity to Ng Tung River. Should the subject application be approved, precautionary measures to avoid any disturbance and pollution to the watercourse nearby shall be provided.	The Applicants agree to employ professionals to give advice so as to provide all precautionary measures to avoid any disturbance and pollution to the watercourse nearby.
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Land Supreme Surveyors Ltd.
滙盈測量師行有限公司

Hong Kong
Tel:
Fax:

電話:
傳真:

Our Ref.: (46) in LSS/N/2272
Your Ref.: TPB/A/FLN/22

By Email Only

22 March 2021

The Secretary
Town Planning Board
15/F North Point Government Offices
333 Java Road
North Point
Hong Kong

Dear Sir/Madam,

Section 16 Planning Application No. A/FLN/22
Temporary Shop and Services, and Place of Entertainment
for a Period of 3 Years
at Lots Nos. 517 RP, 518 RP, 521 RP, 522, 523 RP, 524 RP, 525, 526,
527 RP, 532 RP (Portion), 533 RP (Portion), 534 RP (Portion),
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and Adjoining Government Land in D.D. 51
Fu Tei Au and Shek Wu San Tsuen, Sheung Shui, North, New Territories

We refer to the above Section 16 Planning Application No. A/FLN/22.

In response to AC for T/NT's comments relating to the Traffic Review concerning the above Application, we attach the responses prepared by our client's appointed traffic consultant for your further action.

DAFC did not support the applied use of public vehicle park (excluding container vehicle) "Public V/P") at Site B which is zoned "Agriculture" on the approved Fu Tei Au and Sha Ling Outline Zoning Plan No. S/NE-FTA/16 in the first submission. A meeting was held on 3 September 2020 with Ms Hui of AFCD, Miss Winnie Lau who was the then District Planning Officer/FS & YLE and Mr Patrick Fung of DPO/FS & YLE, the Applicant and the undersigned. Miss Lau asked the Applicant to consider DAFC's comment on the original applied use, i.e. Public V/P. Eventually, the Applicant accepted Miss Lau's advice. The major portion of Site B is now amended for agricultural rehabilitation. Please see the summary of the current applied uses at Appendix C and the site layout plan at Appendix D.

A small remaining portion is to be reserved for ancillary car-parking use for 20 car parks but is reserved for workers working for agricultural rehabilitation and at Site A. Please note that

although the Applicant agreed not to proceed with Public V/P and to change the major portion of Site B from Public V/P to agricultural rehabilitation, DAFC still did not support the amended scheme at Site B during the preliminary enquiry. DPO/FS & YLE relayed DAFC's comments on the revised proposal of agricultural rehabilitation on 5 March 2021 as follows:-

"Our previous comments dated 17.9.2020 are still valid. AFCD will not support any non-agricultural development or related proposal in Site B, which has potential for agricultural rehabilitation in the "AGR" zone."

The traffic consultant also advised not to go ahead with the applied use of "Place of Recreation, Sports or Culture (Barbecue Site)" at Site A. The aforesaid area is zoned "Open Space" on approved Outline Zoning Plan No. S/FLN/2. The Applicant also accepted this and it is amended to sitting-out area which is a Column 1 use permissible under OZP No. S/FLN/2. A summary of the amended applied uses is shown below:-

	<u>Applied Use in 1st Submission</u>	<u>Proposed Use in Current Submission</u>	<u>Affected Area – m² (about)</u>	<u>Remarks</u>
1	Place of Recreation, Sports or Culture (Barbecue Site) at Site A	Sitting-out Area	636.5	Sitting-out Area is permissible under the Column 1 of "O" zone of OZP No. S/FLN/2
2	Public Vehicle Park (excluding container truck) at Site B	(a) Agricultural Rehabilitation with 3,800 m ² (about) Nursery Shelter (b) Ancillary car park for a total number of 20	(a) 6,226.9 m ² (about) (b) 935.59 m ² (about)	(a) Agricultural use is permissible under OZP No. S/NE-FTA/16 and the access road provided within this portion of the site is an ancillary use. (b) The 20 car parks are reserved for staff members working for Agricultural Rehabilitation and at Site A. This is an ancillary use.

According to the Applicant, water is a problem for agricultural activity in the area due to the lowering of water level caused by the realignment of Ng Tung River in the area. Also, currently there is no water course or river to provide sufficient water for water irrigation as the immediate local neighbourhood is built up by squatters.

Site B has been left idle not for agricultural activities in the past few decades. Instead, tap water from Water Supplies Department will be used. To reduce the demand for tap water for irrigation purpose to save tap water and to reduce the water charge, the Applicant will

erect a nursery shelter of approximately 3,800 m² in area to make the agricultural rehabilitation practical, feasible and viable. Owing to its primitiveness, this nursery shelter may not be considered a structure. Please see the attached structural consultant's opinion on this at Appendix B. It is considered that the current proposed uses at Site B is a good compromise in the coming 3 years having taking into account the available quantity of water for irrigation for agricultural activities and the demand for car parks by staff working at Sites A and B.

Finally, the Applicant indicated that he agrees to include approval conditions for the traffic, agricultural and other issues should the Town Planning Board consider that it is appropriate to do so. Should you require further information or clarifications, please contact the undersigned on

Thank you.

Yours faithfully,
For and on behalf of
Land Supreme Surveyors Ltd.



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MRICS MHKIS RPS(GP)
Director

CCK/jc

Encls.

c.c. DPO/FS&YLE (Attn.: Messrs Anthony K.O. LUK, Patrick)
M.Y. FUNG and Jeffrey P.K. WONG))
AC for T/NT (Attn.: Messrs K.K. YIP, LAM Shui Wah and) By Email
Alex T.H. LAM))
DAFC (Attn.: Ms Rachel Y.T. HUI))

Traffic Review

1. Background

This project, a low end retail market lasting only for 3 years, is aimed at urgently create about 2,000 number of job opportunities for local people thus alleviating the current economic depression resulted from the current Covid-19. The customer spectrum of the retail market mainly focus on those residents in the Fanling North District and the surrounding vicinity. The mode of transport adopted by visitors, therefore, shall be mainly by walking and by public transport such as by bus, taxi as well as by the MTRC East Rail service, the closest station of which is about 1 km from the application site. The parking spaces in Application Site A (Site A), therefore, shall be kept at the minimum mainly to reserve for the management and those retail stall owners, The car parking spaces at Application Site B (Site B) is planned as an ancillary facility to serve as a buffer for Site A just in case. The development programme shall consequently reduce the current total number of car parking spaces in both Site A and Site B from over 110 to 40. In order to avoid the illegal parking problem arisen from the reduction of the parking facilities, bollard will be proposed along the footpath of the unnamed road and no stopping restriction will be imposed along the road section of the unnamed road. Therefore, this report shall be only a small scale traffic review **(not a traffic impact assessment)** to demonstrate that the proposed development is technically feasible in respect with the traffic consideration.

2. Scope of Review

The main objectives of this review shall include

1. the visitor forecast and the mode of access of visitors,
2. the utilization of the car parking spaces and loading and unloading facilities
3. the traffic count and the operational performance of the 2 closest road junctions from Site A
4. contingency plan for avoiding queuing of vehicles at the public road near the entrance
5. the operation performance of the footpath, and
6. the pedestrian crossing performance.

3. Basic Development Parameters

Total Area of Site A	about 22,000 m ²
Total Area of Site B	about 8,000 m ²
Total GFA of Site A	about 5,400 m ²
Total open space as promenade area in Site A	about 4,000 m ²
Total open space as EVA, Loading & Unloading Bay, Park & Landscaping area	about 12,600 m ²

4. Existing traffic environment

4.1 Road & Road Junctions

Site A abuts a 310m long single two ways un-name service road, width of which varies from 6.75m to 7.3m. Turn right from Site A and across the Ng Tung River via this road, the Site B is about 150m away. Turn left from Site A and travel another 310m, the Tin Ping Road, a 10.3 m local distributor road is perpendicular intercepting and terminating this un-name road. Extending the un-name road and pass through this signal control road junction (**Junction A**), is Lung Sum Avenue. The section of Lung Sum Avenue between Tin Ping Road and Jockey Club Road is a single carriageway of 2 northbound lanes and one southbound lane. Whereas the section of Lung Sum Avenue between Jockey Club Road and San Wan Road is a dual two lanes carriageway. The remaining road section of Lung Sum Avenue between San Wan Road and San Fung Avenue is a single 3 lanes eastbound carriageway. The road junction between Lung Sum Avenue and Jockey Club Road (**Junction C**) is also a signal control road junction and is about 210m away from Junction A.

About 550m in a south-east direction from Junction A , Tin Ping Road is terminated by Ma Sik Road, a dual 2 lane district distributor. The road junction between Tin Ping Road and Ma Sik Road, also a signal control junction, shall be referred as **Junction B**.

Travelling along Tin Ping Road from Junction A in a north-west direction for about 750m, Tin Ping Road will be terminated by Jockey Club Road.

4.2 Footpaths

Footpaths at both sides of Tin Ping Road and Lung Sum Avenue are all 3.5m wide. On the un-named road, the width of the footpath adjoining to Woodland Crest ranges between 2.3m and 1.6m. The footpath adjoining On Kwok Villa, however, measured only 1.5m but terminated at about 110m from the entrance of Site A.

4.3 Car Parking

A private car park for over 100 private cars and 30 LGVs/MGVs is currently operated at Site A. The car parking facilities shall be terminated upon the permission of this temporary development by the Town Planning Board. The portion of Government Land in Site B is currently occupied by about 20 nos. illegal parking.

4.4 Public Transport

Three bus stops serving 10 nos.KMB bus routes are found within 500m from Site A. They are respectively KMB route no.277E, 277P, 70K, 261, 261P, 261S, 270, 270D, 673, 978A,

MTRC East Rail Sheung Shui Station is about 900m from Site A. There is a new GMB route between Wa Shan Tsuen and Sheung Shui will be in service soon.

5. The visitor forecast and the mode of access of visitors,

5.1 Visitor Forecast

Under the existing Covid-19 environment, the data collected in site survey method shall be adversely distorted. Therefore, BD's method for assessment of occupant capacity for fire safety consideration may be adopted for forecasting the number of peak hour customer.

Forecasting of no. of person at peak times may be based on the following assumptions:

Zone	Occupation density (m ² per person)
Covered shelter account for GFA *	3
Open space - promenade area	10
Open space - EVA, Loading & Unloading bay, Parks & Landscaping area	20

* refer Table B1 of the Code of Practice for Fire Safety 2011- by Buildings Department

Visitor of Site A during peak time = $5400/3 + 4000/10 + 12600/20 = 2830$

The Management assumes that each visitor shall, on average, stay in the site for 2 hours. Every hour there shall be $2830/2 = 1415$ visitors simultaneously leaving and entering Site A.

5.2 Mode of transportation to site

The purpose of this retail market is not to replace the existing retailing business such as electrical appliances, medicine, cosmetics,...etc in the downtown of Sheung Shui, but to supplement or rehabilitate those retailing livelihood sectors which had been eliminated by high rental in the last decades of years. The local residents of Sheung Shui thus can have an option to choose low end but cheap provisions at this low end market.

As the project shall last for only three years, the applicant shall be only able to provide simple temporary shelters for shedding against sunshine or rain water. Or in some instance the stalls shall be unsheltered. The reason being that 3 years is inadequate to apply formally for proper shelter under the procedure of the Lands Department as well as the Buildings Department.

Owing to provide only simple temporary shelters, the retailing business can only target at the 300,000 population in the Fanling North District and focus in the low end market. Customers shall be mainly from the estate residents within a 1.5km radius circle measured from the site. These low end cheap livelihood products shall have no attraction for those cross- district nor cross- border visitors. The visitors of the project, therefore shall access the subject retail market mainly by walking or those short distance bus services and the new GMB service from Sheung Shui to Wa Shan Tsuen. Accordingly the impact of the vehicular traffic flow on the adjoining carriageway and road junction should be negligible. As the retail business is targeted for retail market of low end consuming market, it is not target for special feature product or special price product. The management estimated that it is mainly served for the local resident:

Category of visitor	Mode of transportation	% of the total visitor
Local Sheung Shui Residents	Walking	50
Residents from Northern New Territories	Public Transport	40
Others	vehicular traffic	10

Based on the assumption that each private car/taxi will carry 3 visitors, the peak traffic flow generated may be taken as $1415 \times 10\% / 3 = 48$, say 50 pcu per hour.

6. Utilization of the car parking spaces and loading and unloading facilities

The Management decides no car parking facility will be reserved for visitor and the loading & unloading of logistic vehicles will be arranged in those non-peak hours such as 10:00am to noon and 9:00pm to 11:00pm.

6.1 Assessment of car parking space and loading & unloading area

The management target for retail market mainly serve for local resident. There is no restaurant within the proposed site. Based on section 3 of Table 11 in Chapter 8 of HKPSG, there is no special requirement of parking for retail market. The Applicant proposes to provide around 350 shop stalls of about 6 m² for each shop. One loading/unloading bay for goods vehicles for every 40 to 60 small stalls. Thus, loading /unloading bay required will be 6 to 9 bays.

Accordingly 20 nos. car parking spaces and 4 loading/unloading bays for vehicle will be provided in Site A. 11 nos. car parking space for private car and 9 parking space for LGV and MGW shall be provided in Site B as a buffer and contingency during operation.

7. Traffic count and the operational performance of the Road Junctions

7.1 Existing Traffic Condition

As this is a small scale traffic view covering a temporary 3 years development generating vehicular traffic less than 50 pcu per hour at peak hour, only the operational performance of Junctions A to E, the five closest critical junctions to the Application Site to the high speed road of Fanling Highway, will be investigated. Traffic count had been carried out for these Junctions A & C respectively on 12-8-2020 (Wednesday), 14-8-2020(Friday), 16-8-2020(Sunday), 27-8-2020(Thursday), 29-8-2020(Saturday) and 20-10-2020(Tuesday). For Junction B, D & E, the traffic flow of Year 2018 will be forecasted to the traffic flow of Year 2020 and 2023.

The business hour of a retail market is normally between 11:00am to 9:00pm with the peak hour at about 4:00pm to 7:00pm. The afore-mentioned traffic count had reflected that the

peak hour of the Junction A & C are during the periods 8:30am to 9:00am and 4:00pm to 4:30pm.

Results of the junction capacity analysis of the concerned road junctions in the morning and evening peak hours under the existing traffic condition in Year 2020 are shown in the Table below.

Results of junction capacity analysis of concerned junction in Year 2020

Junction No.	Junction	Junction Type	RC (%) / DFC	
			AM	PM
A	Lung Sum Avenue / Tin Ping Road / Un-named Road	Signalised	58	69
B	Ma Sik Road / Tin Ping Road	Signalised	30	37
C	Lung Sum Avenue / Jockey Club Road	Signalised	22	28
D	Jockey Club Road / Ma Sik Road / So Kwun Po Road	Signalised	29	32
E	So Kwun Po Road / Slip Road of Fanling Highway	Roundabout	0.61	0.60

The results of the junction capacity analysis indicate that the concerned road junctions are operating in a satisfactory level.

7.2 Future Traffic Condition and Traffic Forecast

The traffic generated by the proposed site within the operation hours of 11:00am to 09:00pm was estimated by the visitor forecasted in Section 5 above. For the morning peak period which is outside the operation hours of the proposed site, the traffic generated is estimated by trip generation reference from Table 2 of TPDM Vol. 1 Chapter 3 Appendix. The Traffic Generation Rates are shown in Table below.

Traffic Generation Rates

Land Use	Unit	AM Peak	
		Generation	Attraction
Retail	(pcu/hr/100 sqm GFA)	0.2296	0.2434

Based on the trip rates as shown in above Table and section 5.2, the vehicle trip rated to the proposed site are shown in Table below.

Estimated Overall Trip Related to the Proposed Site Park

		AM Peak		PM Peak	
		Attraction (pcu/h)	Generation (pcu/h)	Attraction (pcu/h)	Generation (pcu/h)
Retail	5400 sqm GFA	12	13	50	50

The AADT data for Year 2009 to 2019 of the main roads within the study area have been extracted from ATC. According to the previous AADT data between 2009 and 2019, the corresponding annual growth rate between 2009 and 2019 is 0.52%

By incorporating the annual traffic growth rate with the traffic flow of Year 2020, the based traffic flow without the proposed site for the Year of 2023 had been calculated. The junction capacity of the concerned road junctions for Year 2023 without proposed site are listed on Table below.

Results of junction capacity analysis of concerned junction in Year 2023 without Proposed Site

Junction No.	Junction	Junction Type	RC (%)	
			AM	PM
A	Lung Sum Avenue / Tin Ping Road / Un-named Road	Signalised	55	66
B	Ma Sik Road / Tin Ping Road	Signalised	28	37
C	Lung Sum Avenue / Jockey Club Road	Signalised	20	26
D	Jockey Club Road / Ma Sik Road / So Kwun Po Road	Signalised	27	30
E	So Kwun Po Road / Slip Road of Fanling Highway	Roundabout	0.62	0.61

The traffic flow generated from the proposed site was incorporated into the road network for the Year 2023 to form the flow net of the design case with the proposed site. The junction capacities of the concerned junctions with proposed site for year 2023 are shown in the Table below.

Results of junction capacity analysis of concerned junction in Year 2023 with Proposed Site

Junction No.	Junction	Junction Type	RC (%)	
			AM	PM
A	Lung Sum Avenue / Tin Ping Road / Un-named Road	Signalised	50	29
B	Ma Sik Road / Tin Ping Road	Signalised	28	28
C	Lung Sum Avenue / Jockey Club Road	Signalised	19	15
D	Jockey Club Road / Ma Sik Road / So Kwun Po Road	Signalised	26	27
E	So Kwun Po Road / Slip Road of Fanling Highway	Roundabout	0.62	0.61

The results of the junction capacity analysis indicate that the concerned road junctions are operating in a satisfactory level for both scenarios of with and without proposed site in Year 2023.

The peak of the V/C ratio of the unnamed road of the unnamed road for Year 2020, Year 2023 without subject site and Year 2023 with subject site are listed on the following table.

Results of Volume to Capacity (V/C) Ratio of the unnamed road in Year 2023 with Proposed Site

Scenario	Peak Traffic Flow (veh/h)				Capacity (veh/h)	Peak V/C Ratio			
	E/B		W/B			E/B		W/B	
	AM Peak	PM Peak	AM Peak	PM Peak		AM Peak	PM Peak	AM Peak	PM Peak
Year 2020 Existing Condition	120	148	148	69	400	0.30	0.37	0.37	0.17
Year 2023 without Subject Site	122	150	150	70		0.30	0.38	0.38	0.18
Year 2023 with Subject Site	134	200	163	120		0.33	0.50	0.41	0.30

The results of the V/C ratio are well below the acceptable level of 0.85 which indicate that the concerned road section is operating in a satisfactory level for both scenarios of with and without proposed site in Year 2023.

8. Contingency plan for avoiding queuing of vehicles at the public road

There are 4 loading/unloading bays with length ranging between 15.8m to 26.5m installed parallel to each other. These loading/unloading bays shall be kept empty during the normal business hour and may be open to those queuing visiting vehicle just in case. Total length for

picking up and setting down lay-by is about 80m and shall be deemed to be adequate for this scale of temporary development.

9. The Operation performance of the footpaths

The existing pedestrian flow in the un-named road is not substantial and is mainly derived from a squatter area at the northern bank of Ng Tung River. Peak hour of pedestrian flow happen during the normal morning and evening peak hour and is unlikely coincide with the peak hour of the retail market and therefore, may be neglected during the LOS grading evaluation. The 3.5m wide footpaths in both sides of Tin Ping Road and Lung Sum Avenue will not be checked. Despite width of the majority portion of the footpath alongside the un-named road is over 2.0m, the clear width of the footpath will be reduced after installation of the proposed bollard along the concerned road section to avoid illegal parking on the footpath. A 0.5m “dead area” is assumed along the boundary wall frontage. It is assumed that 10% and 40% of the visitor will travel by private car and public transport respectively as shown on section 5.2 above. Also, 10% of visitor is assumed to come from the northern part of Ng Tung River which will utilize the footpaths at the northern side of the Ng Tung River. 20% of the visitor is assumed to use trolley to carry goods and a factor of 2 will be applied for the visitor to use trolley. The results of the LOS (Level of Service) of the concerned footpath near the subject site was shown on Appendix C. In order to maintain an acceptable LOS after opening of the subject site, a portion of the existing planting area beside Site A will be paved for pedestrian.

Based on the result of the LOS as shown on Appendix C, the LOS (Level of Service) of the narrowest portion of the footpath as stipulated in TPDM volume 6 paragraph 10.4.2, may be classified as Grade C. This standard may be considered as reasonable and acceptable as the portion of narrow footpath is short and that the development is only temporary.

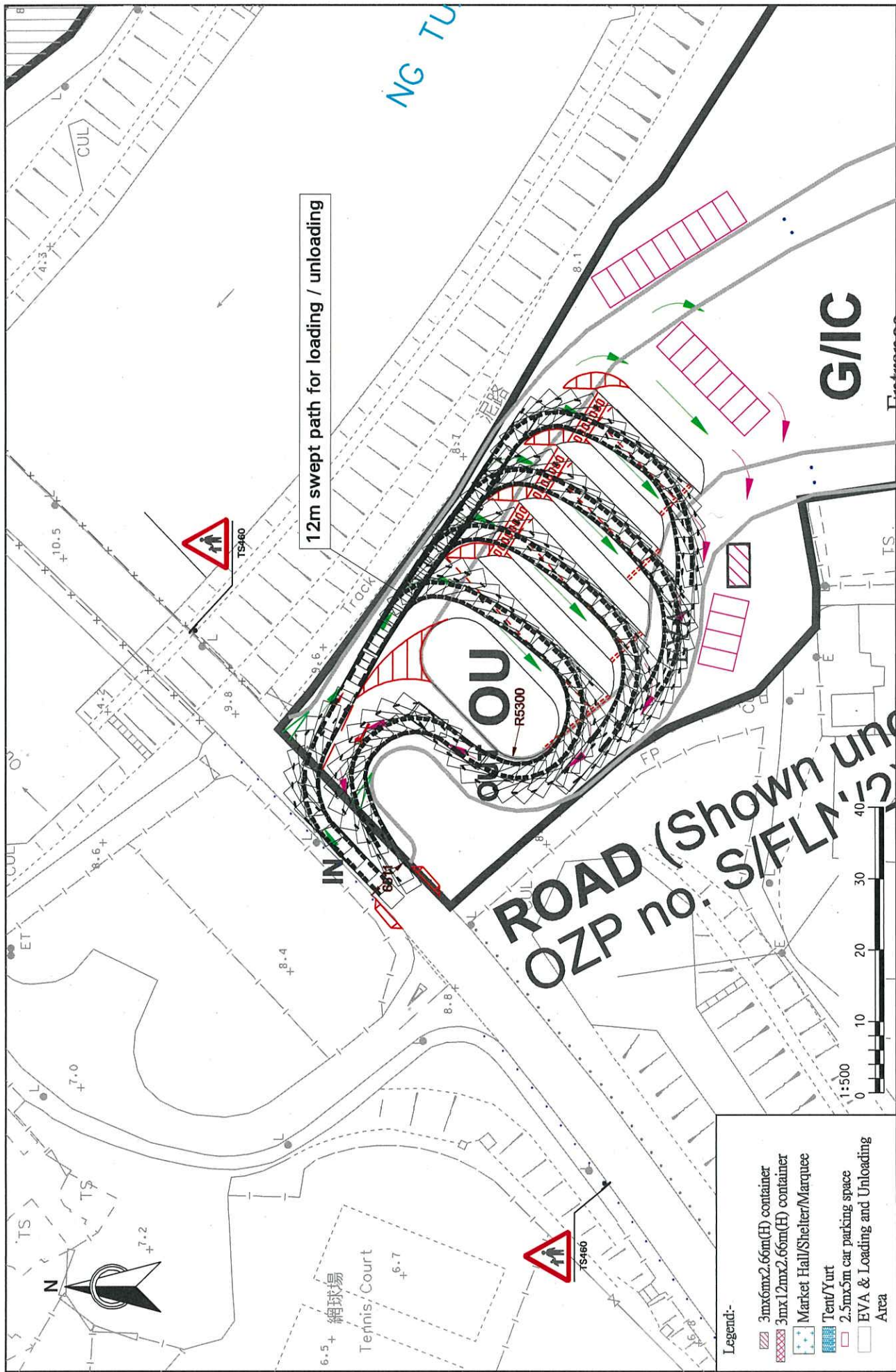
10. The pedestrian crossing performance

A cautionary crossing with proper drop kerb is proposed at the un-named road closed to the entrance of Site A. This proposal is technically feasible in that the un-named road is a service road with speed limit 50km/hr, and that the road is straight and relatively flat with least sight distance over 100m. With light vehicular traffic flow, the installation is safe to the pedestrian and will not cause disruption to the vehicular traffic.

11. The Conclusion

The proposed development is concluded as technically feasible in regard of the transportation consideration

Appendix A



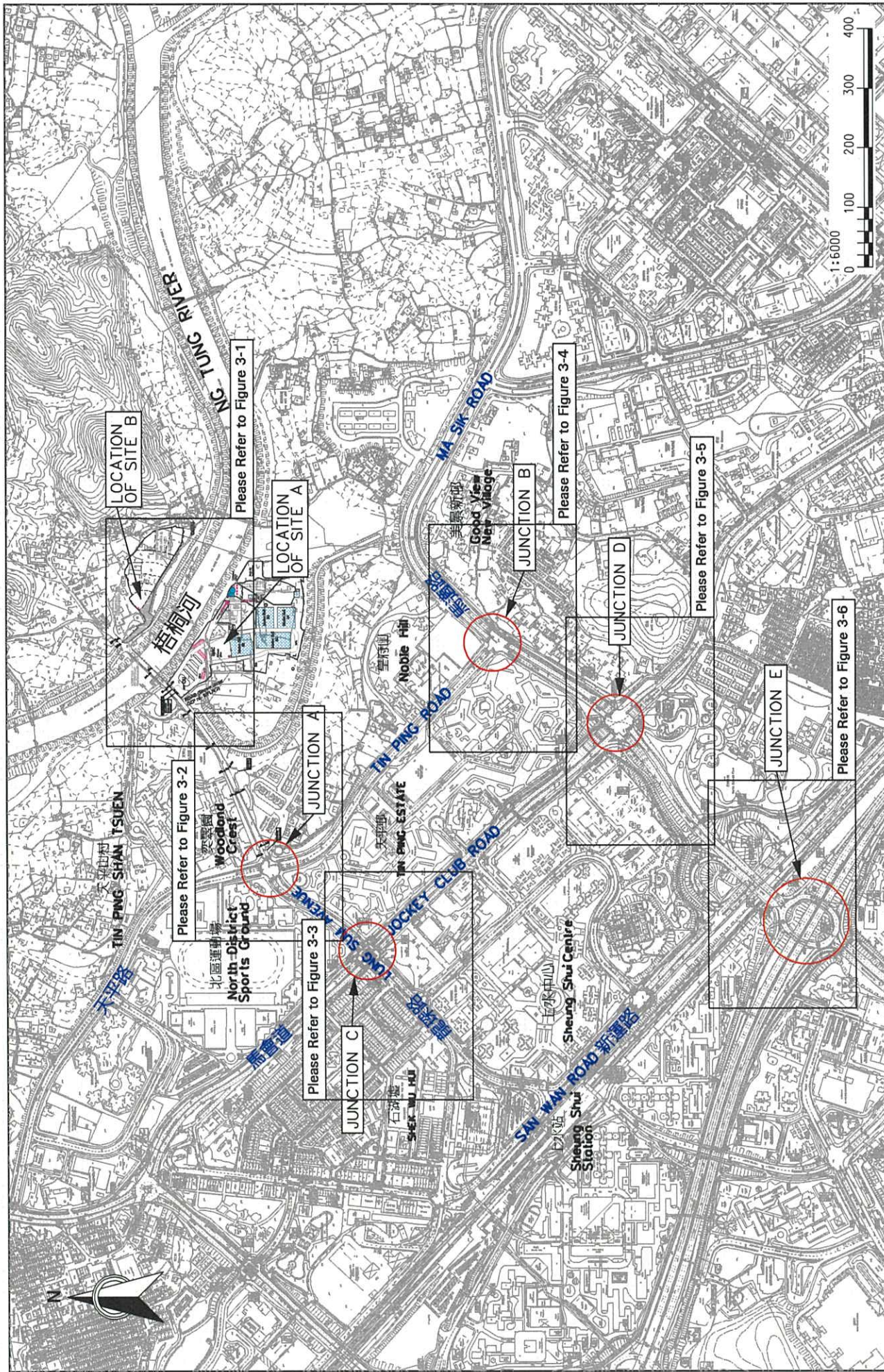
Section 16 Planning Application for Temporary Shop and Services, Place of Entertainment, Place of Recreation, Sports or Culture (Barbecue Site) and Public Vehicle Park (excluding container vehicle) at Lots Nos. 517 RP, 518RP, 522, 523 RP, 524 RP, 525, 526, 527 RP, 532 RP (Portion), 534 RP (Portion), 539 (portion), 540 (Portion), 541 (Portion), 542 (portion), 543 (Portion), 544, 545, 547 (Portion), 548 (Portion), 551 (Portion), 552 and 553, and Adjoining Government Land in D.D. 51

LAYOUT PLAN OF SITE A

FIGURE 2-SP1

Scale: 1:5000 A3

Sheet: A

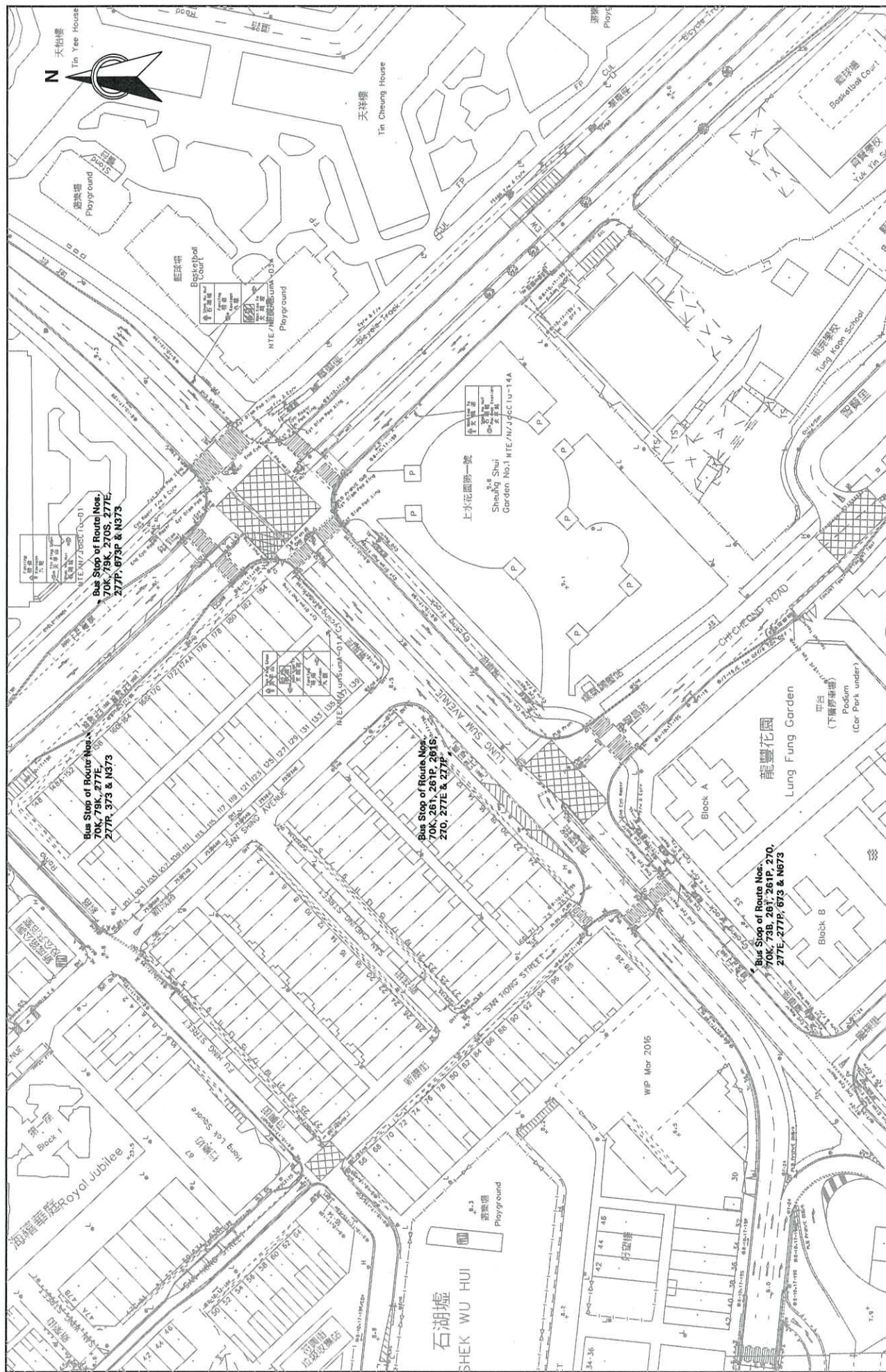


Section 16 Planning Application for Temporary Shop and Services, Place of Entertainment, Place of Recreation, Sports or Culture (Barbecue Site) and Public Vehicle Park (excluding container vehicle) at Lots Nos. 517 RP, 518RP, 522, 523 RP, 524 RP, 525, 526, 527 RP, 532 RP (Portion), 534 RP (Portion), 539 (portion), 540 (Portion), 541 (Portion), 542 (portion), 543 (Portion), 544, 545, 547 (Portion), 548 (Portion), 551 (Portion), 552 and 553, and Adjoining Government Land in D.D. 51

EXISTING TRAFFIC LAYOUT PLAN

FIGURE 3

Drawing number	Date
FIGURE 3	14/09/2012
Scale	1:6000
Sheet	B



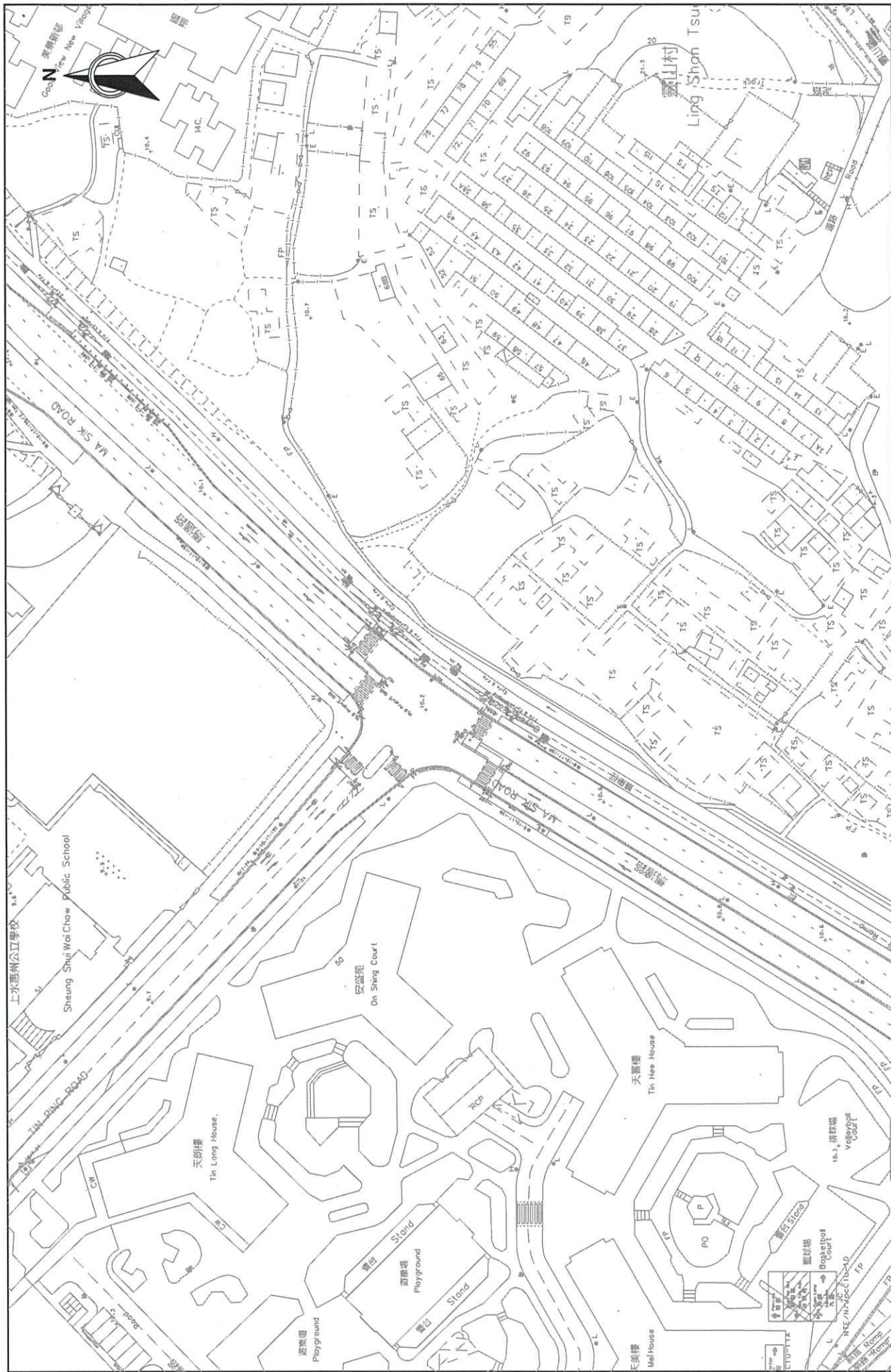
Section 16 Planning Application for Temporary Shop and Services, Place of Entertainment, Sports or Culture (Barbecue Site) and Public Vehicle Park (excluding container vehicle) at Lots Nos. 517 RP, 518RP, 522, 523 RP, 524 RP, 525, 526, 527 RP, 532 RP (Portion), 534 RP (Portion), 539 (portion), 540 (Portion), 541 (Portion), 542 (portion), 543 (Portion), 544, 545, 547 (Portion), 548 (Portion), 551 (Portion), 552 and 553, and Adjoining Government Land in D.D. 51

EXISTING TRAFFIC LAYOUT PLAN

FIGURE 3-3

Drawing number	111000843
Scale	1:1000000
Date	11/10/2013

Project: Section 16 Planning Application No. A/2013 - Traffic Contingency Study/Temporary Public Vehicle Park



Section 16 Planning Application for Temporary Shop and Services, Place of Entertainment, Sports or Culture (Barbecue Site) and Public Vehicle Park (excluding container vehicle) at Lots Nos. 517 RP, 518RP, 522, 523 RP, 524 RP, 525, 526, 527 RP, 532 RP (Portion), 534 RP (Portion), 539 (portion), 540 (Portion), 541 (Portion), 542 (portion), 543 (Portion), 544, 545, 547 (Portion), 548 (Portion), 551 (Portion), 552 and 553, and Adjoining Government Land in D.D. 51

EXISTING TRAFFIC LAYOUT PLAN

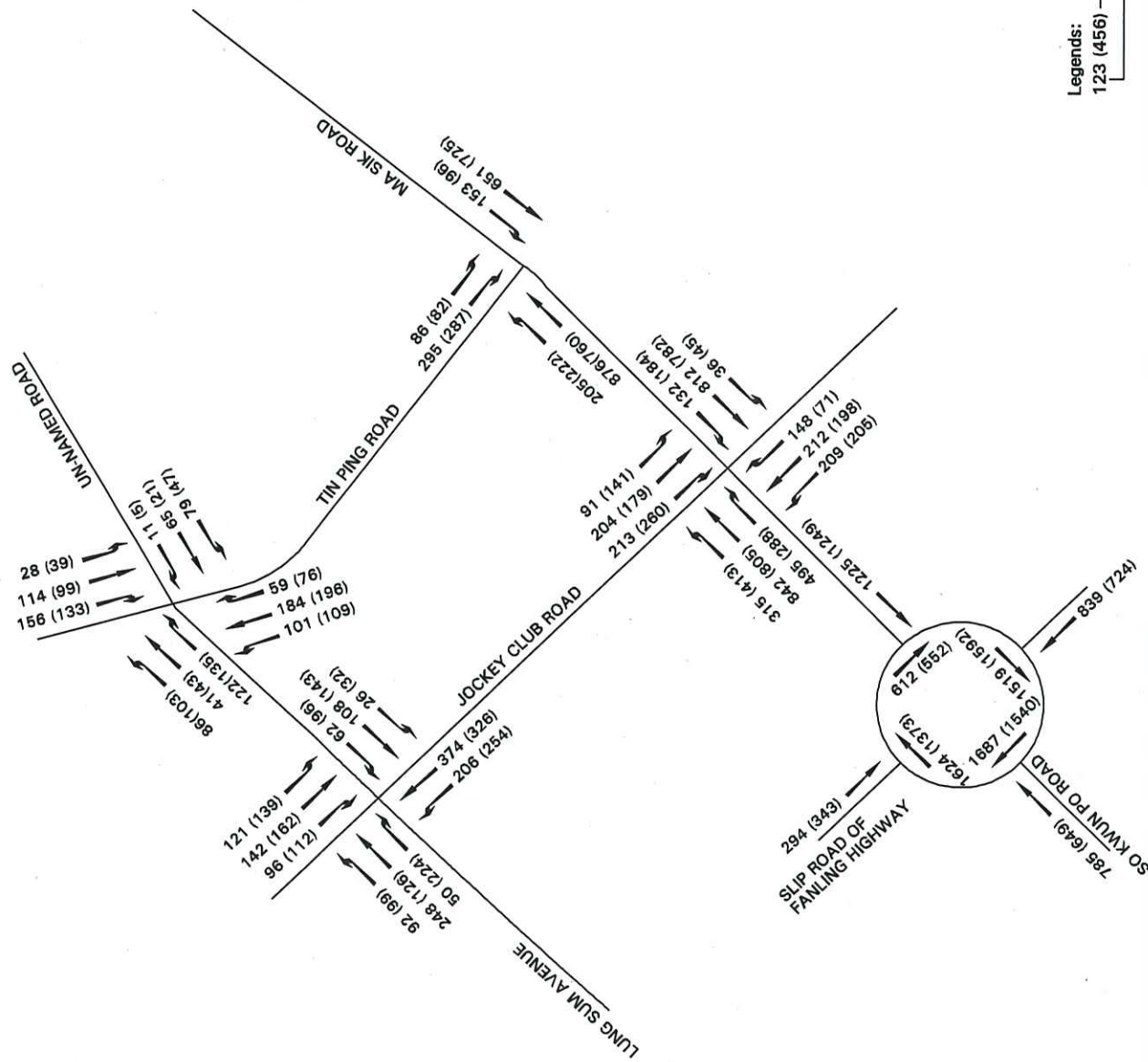
FIGURE 3-4

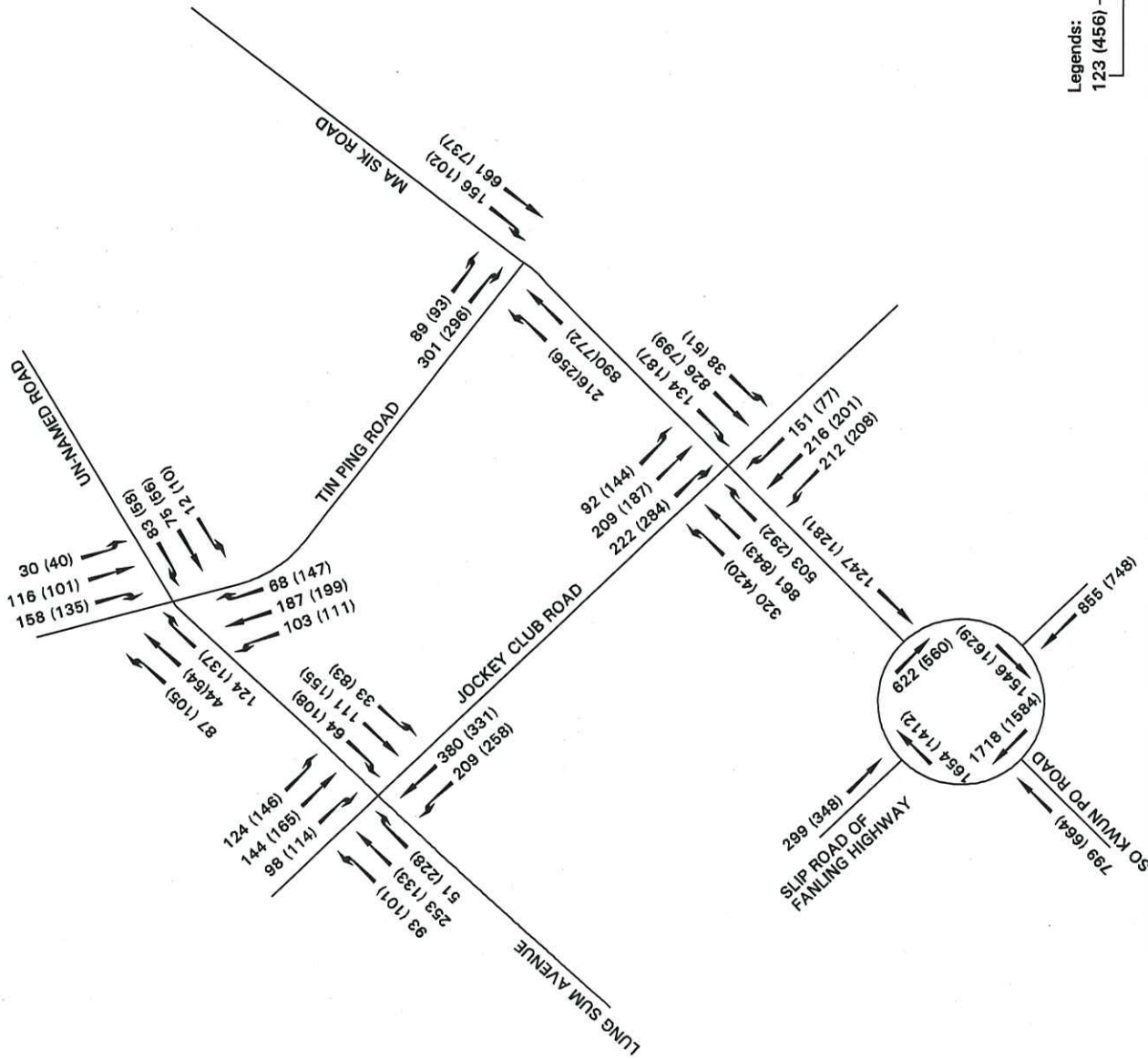
Drawing number: 11000804

Scale: 1:10000

Rev: A

Drawing title: EXISTING TRAFFIC LAYOUT PLAN





Appendix B

AADT Data Extracted from ATC for Year 2009 to 2019

[illegible]

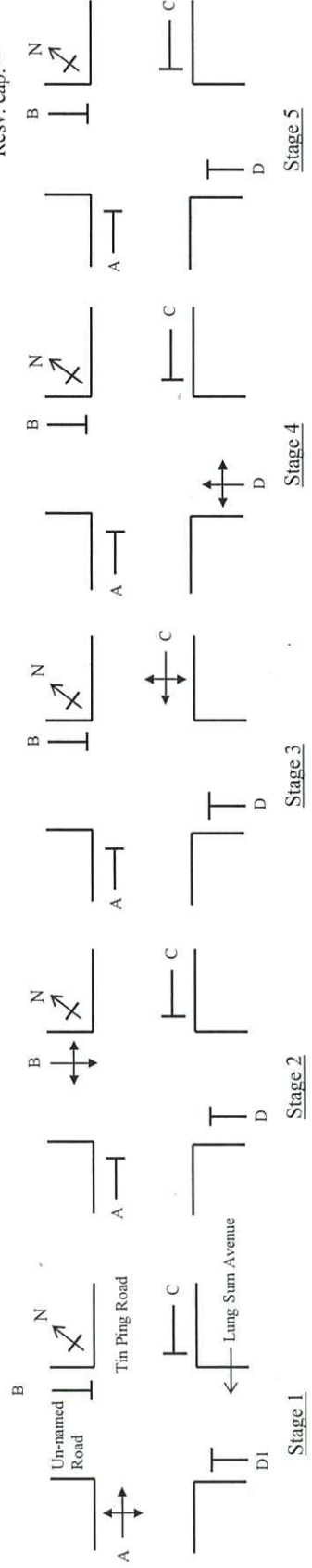
Job No.	R11106	File Name	A-LUA-TPR	Page	1 of 1
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	11-Dec-20
Subject	Signal Calculation of the Junction of Lung Sum Avenue, Ting Ping Road and Un-named Road (Year 2020)	Checked	BF	Date	11-Dec-20
		Drg. Ref.		Cal. Rev.	

AM Peak

Movement	Width	Radius	Sat. Flow (No Turning)	Grad.	Actual Flow		Rev. Sat.	y	Critical y	Time Lost L	Cycle Time	Proposed Green Time
	m	m	pcu/h	%	Prop. of Turning Vehicles	Flow	pcu/h			sec.	sec.	sec.
A1	3.25	8.00	1940		19.72	142	1,871	0.076		42	110	15
A2	3.25	12.00	2080		100.00	156	1,849	0.084	0.084			
B	4.00	8.00	2015		0.58	155	2,013	0.077	0.077			14
C1	3.25	10.00	1940		100.00	101	1,687	0.060				22
C2	3.25	12.00	2080		24.28	243	2,019	0.120	0.120			
D1	3.50	10.00	1965		67.72	127	1,784	0.071	0.071			13
D2	3.50	12.00	2105		100.00	122	1,871	0.065				

PM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.25	8.00	1940		28.26	138	1,842	0.075	0.075	42	110	14
A2	3.25	12.00	2080		100.00	133	1,849	0.072				
B	4.00	8.00	2015		0.71	73	2,012	0.036	0.036			7
C1	3.25	10.00	1940		100.00	109	1,687	0.065				27
C2	3.25	12.00	2080		27.94	272	2,010	0.135	0.135			
D1	3.50	10.00	1965		70.55	146	1,777	0.082	0.082			16
D2	3.50	12.00	2105		100.00	135	1,871	0.072				
								Y =	0.329	Ymax = 0.62		
								Resv. cap. = 69 %				



Job No.	R1106	File Name	A-LUA-TPR	Page	1 of 1
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	11-Dec-20
Subject	Signal Calculation of the Junction of Lung Sum Avenue, Ting Ping Road and Un-named Road (Forecasted Year 2023)	Checked	BF	Date	11-Dec-20
		Drg. Ref.		Cal. Rev.	

AM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.25	8.00	1940			19.44	144	0.077		42	110	15
A2	3.25	12.00	2080			100.00	158	0.085	0.085			
B	4.00	8.00	2015			0.58	157	0.078	0.078			14
C1	3.25	10.00	1940			100.00	103	0.061				22
C2	3.25	12.00	2080			24.29	247	0.122	0.122			
D1	3.50	10.00	1965			67.44	129	0.072	0.072			13
D2	3.50	12.00	2105			100.00	124	0.066				

$$Y = 0.358 \quad Y_{\max} = 0.62$$

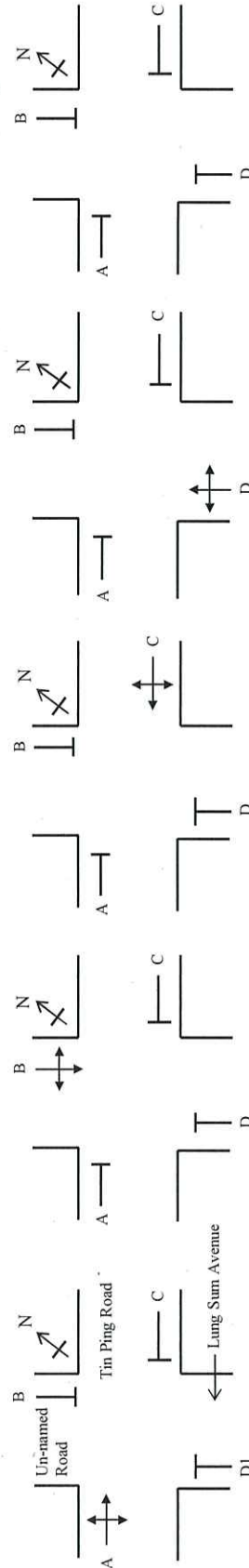
$$\text{Resv. cap.} = 55\%$$

PM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.25	8.00	1940			28.37	141	0.077	0.077	42	110	14
A2	3.25	12.00	2080			100.00	135	0.073				
B	4.00	8.00	2015			0.72	74	0.037	0.037			7
C1	3.25	10.00	1940			100.00	111	0.066				27
C2	3.25	12.00	2080			27.90	276	0.137	0.137			
D1	3.50	10.00	1965			70.47	149	0.084	0.084			16
D2	3.50	12.00	2105			100.00	137	0.073				

$$Y = 0.334 \quad Y_{\max} = 0.62$$

$$\text{Resv. cap.} = 66\%$$



Stage 1

Stage 2

Stage 3

Stage 4

Stage 5

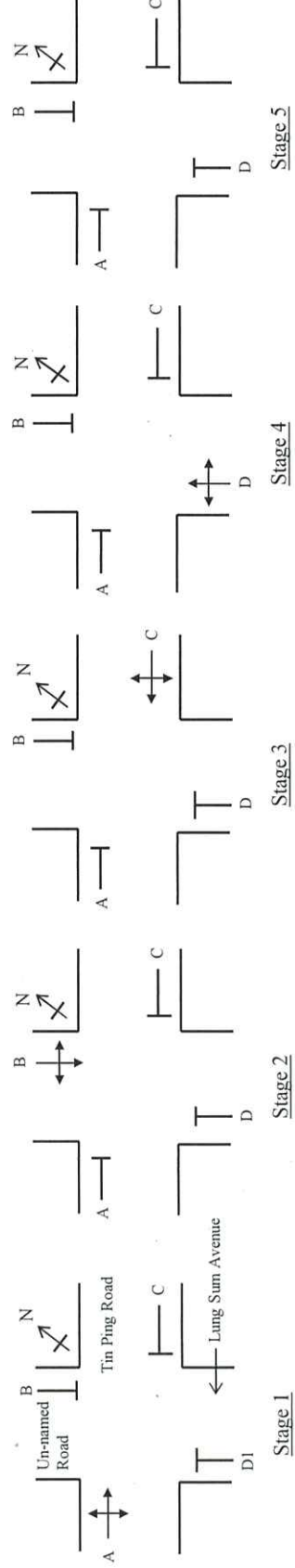
Job No.	R1106	File Name	A-LUA-TPR	Page	1 of 1
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	20-Jan-21
Subject	Signal Calculation of the Junction of Lung Sum Avenue, Ting Ping Road and Un-named Road (Forecasted Year 2023 with Proposed Site)	Checked	BF	Date	20-Jan-21
		Drg. Ref.		Cal. Rev.	

AM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.25	8.00	1940		20.55	146	1,868	0.078		42	110	12
A2	3.25	12.00	2080		100.00	158	1,849	0.085	0.085			
B	4.00	8.00	2015		0.56	170	2,013	0.084	0.084			18
C1	3.25	10.00	1940		100.00	103	1,687	0.061				23
C2	3.25	12.00	2080		26.67	255	2,013	0.127	0.127			
D1	3.50	10.00	1965		66.41	131	1,787	0.073	0.073			11
D2	3.50	12.00	2105		100.00	124	1,871	0.066				

PM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.25	8.00	1940		28.37	141	1,842	0.077	0.077	42	110	12
A2	3.25	12.00	2080		100.00	135	1,849	0.073				12
B	4.00	8.00	2015		0.55	124	2,013	0.062	0.062			26
C1	3.25	10.00	1940		100.00	111	1,687	0.066				
C2	3.25	12.00	2080		36.01	311	1,990	0.156	0.156			14
D1	3.50	10.00	1965		66.04	159	1,788	0.089	0.089			
D2	3.50	12.00	2105		100.00	137	1,871	0.073				



Job No.	R1106	File Name	B-MSR-TPR	Page	1 of 1
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	11-Dec-20
Subject	Signal Calculation of the Junction of Ma Sik Road with Ting Ping Road (Forecasted Year 2020)	Checked	BF	Date	11-Dec-20
		Drg. Ref.		Cal. Rev.	

AM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time c sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.30	10.00	1945		100.00	191	1,691	0.106	0.106	15	90	13
A2	3.30	15.00	2085		100.00	190	1,895					
B1	3.70		1985			402	1,985	0.199	0.199			25
B2	3.70	15.00	2125		38.06	402	2,047					
C1	3.70	10.00	1985		37.89	541	1,878	0.270	0.270			34
C2	3.70		2125			540	2,125					

$$Y = 0.576 \quad Y_{max} = 0.83$$

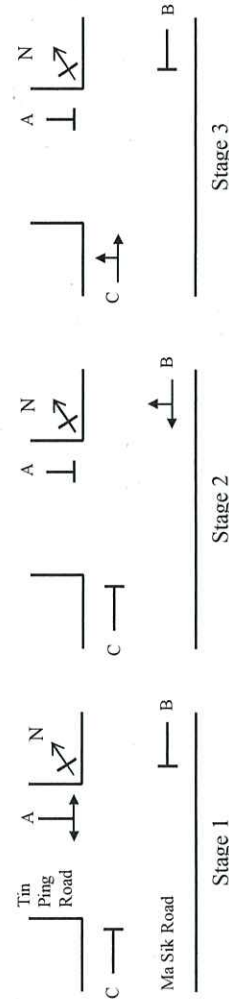
$$Resv. cap. = 30 \%$$

PM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time c sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.30	10.00	1945		100.00	183	1,691	0.102	0.102	15	90	13
A2	3.30	15.00	2085		100.00	182	1,895					
B1	3.70		1985			407	1,985	0.200	0.200			25
B2	3.70	15.00	2125		23.40	406	2,076					
C1	3.70	10.00	1985		45.27	486	1,859	0.244	0.244			34
C2	3.70		2125			486	2,125					

$$Y = 0.546 \quad Y_{max} = 0.83$$

$$Resv. cap. = 37 \%$$



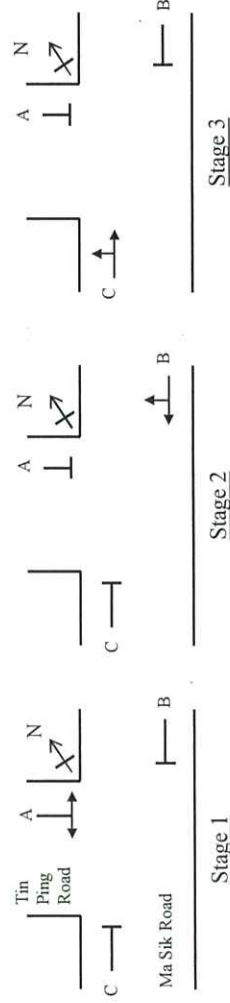
Job No.	R1106	File Name	B-MSR-TPR	Page	1 of 1
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	11-Dec-20
Subject	Signal Calculation of the Junction of Ma Sik Road with Ting Ping Road (Forecasted Year 2023)	Checked	BF	Date	11-Dec-20
		Drg. Ref.		Cal. Rev.	

AM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time c sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.30	10.00	1945		100.00	194	1,691	0.108	0.108	15	90	13
A2	3.30	15.00	2085		100.00	193	1,895					
B1	3.70		1985			408	1,985	0.202	0.202			25
B2	3.70	15.00	2125		37.99	408	2,047					
C1	3.70	10.00	1985		37.89	549	1,878	0.274	0.274			34
C2	3.70		2125			549	2,125					
Y = 0.585									Ymax = 0.83	Resv. cap. = 28 %		

PM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time c sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.30	10.00	1945		100.00	183	1,691	0.102	0.102	15	90	13
A2	3.30	15.00	2085		100.00	182	1,895					
B1	3.70		1985			407	1,985	0.200	0.200			25
B2	3.70	15.00	2125		23.40	406	2,076					
C1	3.70	10.00	1985		45.27	486	1,859	0.244	0.244			34
C2	3.70		2125			486	2,125					
Y = 0.546									Ymax = 0.83	Resv. cap. = 37 %		



Job No.	R1106	File Name	B-MSR-TPR	Page	1 of 1
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	20-Jan-21
Subject	Signal Calculation of the Junction of Ma Sik Road with Ting Ping Road (Forecasted Year 2023 with Proposed Site)	Checked	BF	Date	20-Jan-21
		Drg. Ref.		Cal. Rev.	

AM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow Prop. of Turning Vehicles %	Flow pcu/h	Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time c sec.	Proposed Green Time sec.
A1	3.30	10.00	1945		100.00	195	1,691	0.109	0.109	15	90	13
A2	3.30	15.00	2085		100.00	195	1,895					
B1	3.70		1985			409	1,985	0.203	0.203			25
B2	3.70	15.00	2125		38.24	408	2,047					
C1	3.70	10.00	1985		39.06	553	1,875	0.276	0.276			34
C2	3.70		2125			553	2,125					

$$Y = 0.588 \quad Y_{\max} = 0.83$$

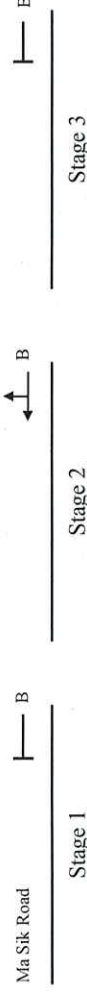
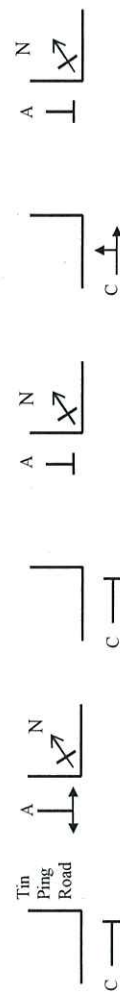
$$\text{Resv. cap.} = 28 \%$$

PM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow Prop. of Turning Vehicles %	Flow pcu/h	Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time c sec.	Proposed Green Time sec.
A1	3.30	10.00	1945		100.00	192	1,691	0.107	0.107	15	90	13
A2	3.30	15.00	2085		100.00	192	1,895					
B1	3.70		1985			420	1,985	0.207	0.207			25
B2	3.70	15.00	2125		24.34	419	2,074					
C1	3.70	10.00	1985		49.81	514	1,847	0.259	0.259			34
C2	3.70		2125			514	2,125					

$$Y = 0.573 \quad Y_{\max} = 0.83$$

$$\text{Resv. cap.} = 31 \%$$



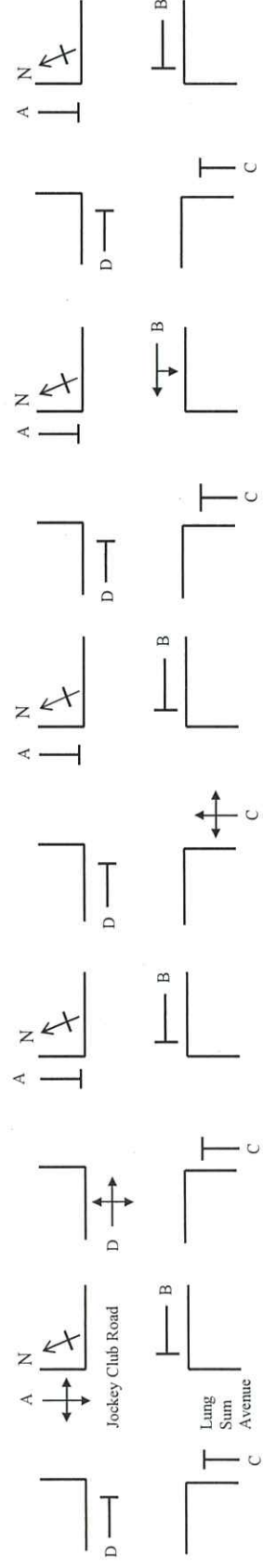
Job No.	R11106	File Name	C-LSA-JCR	Page	1 of 1
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	11-Dec-20
Subject	Signal Calculation of the Junction of Lung Sum Avenue and Jockey Club Road (Forecasted Year 2020)	Checked	BF	Date	11-Dec-20
		Drg. Ref.		Cal. Rev.	

AM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.50	10.00	1965			19.40	1,909	0.070	0.070	40	120	14
A2	3.50	17.50	2105			100.00	62	0.032				
B1	3.80	11.00	1995			71.03	290	0.147	0.147			14
B2	3.70		2125				290					
C1	3.00	14.00	1915			27.06	340	0.183	0.183			23
C2	3.60	21.50	2115			100.00	50	0.025				
D1	3.50	11.00	1965			67.41	180	0.093	0.093			13
D2	3.80	21.50	2135			53.48	180					
									Y = 0.493	Ymax = 0.67		
										Resv. cap. = 22 %		

PM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.50	10.00	1965			18.29	1,913	0.092	0.092	40	120	14
A2	3.50	17.50	2105			100.00	96	0.050				
B1	3.80	11.00	1995			87.59	290	0.148	0.148			14
B2	3.70		2125				290					
C1	3.00	14.00	1915			44.00	225	0.123	0.123			23
C2	3.60	21.50	2115			100.00	224	0.113				
D1	3.50	11.00	1965			67.31	207	0.107	0.107			13
D2	3.80	21.50	2135			54.24	207					
									Y = 0.470	Ymax = 0.67		
										Resv. cap. = 28 %		



Stage 1

Stage 2

Stage 3

Stage 4

Stage 5

Job No.	R1106	File Name	C-LSA-JCR	Page	1 of 1
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	11-Dec-20
Subject	Signal Calculation of the Junction of Lung Sum Avenue and Jockey Club Road (Forecasted Year 2023)	Checked	BF	Date	11-Dec-20
		Drg. Ref.		Cal. Rev.	

AM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.50	10.00	1965			19.12	136	0.071	0.071	40	120	14
A2	3.50	17.50	2105			100.00	63	0.032				
B1	3.80	11.00	1995			70.85	295	0.149	0.149			14
B2	3.70		2125				294	2.125				
C1	3.00	14.00	1915			26.96	345	0.185	0.185			23
C2	3.60	21.50	2115			100.00	51	0.026				
D1	3.50	11.00	1965			67.40	183	0.095	0.095			13
D2	3.80	21.50	2135			53.70	183	2.058				

$$Y = 0.501 \quad Y_{\max} = 0.67$$

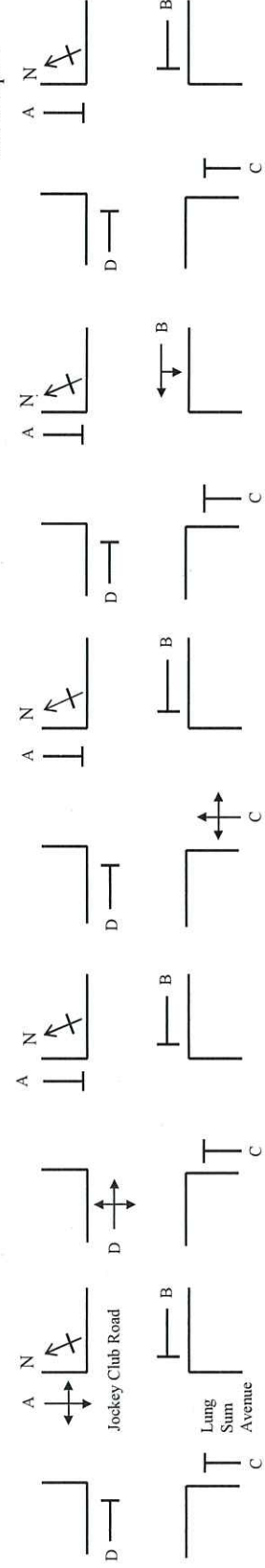
$$\text{Resv. cap.} = 20\%$$

PM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.50	10.00	1965			18.54	178	0.093	0.093	40	120	14
A2	3.50	17.50	2105			100.00	98	0.051				
B1	3.80	11.00	1995			87.46	295	0.151	0.151			14
B2	3.70		2125				294	2.125				
C1	3.00	14.00	1915			44.10	229	0.125	0.125			23
C2	3.60	21.50	2115			100.00	228	0.115				
D1	3.50	11.00	1965			67.14	210	0.109	0.109			13
D2	3.80	21.50	2135			54.29	210	2.057				

$$Y = 0.478 \quad Y_{\max} = 0.67$$

$$\text{Resv. cap.} = 26\%$$



Stage 1

Stage 2

Stage 3

Stage 4

Stage 5

Job No.	R1106	File Name	C-LSA-JCR	Page	1 of 1
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	20-Jan-21
Subject	Signal Calculation of the Junction of Lung Sum Avenue and Jockey Club Road (Forecasted Year 2023 with Proposed Site)	Checked	BF	Date	20-Jan-21
		Drg. Ref.		Cal. Rev.	

AM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.50	10.00	1965			22.92	144	0.076	0.076	40	120	14
A2	3.50	17.50	2105			100.00	64	0.033				
B1	3.80	11.00	1995			70.85	295	0.149	0.149			14
B2	3.70		2125				294	2.125				
C1	3.00	14.00	1915			26.88	346	1.861	0.186			23
C2	3.60	21.50	2115			100.00	51	1.977	0.026			
D1	3.50	11.00	1965			67.76	183	1.799	0.095			13
D2	3.80	21.50	2135			53.55	183	2.058				

$$Y = 0.506$$

$$Y_{max} = 0.67$$

$$Resv. cap. = 19\%$$

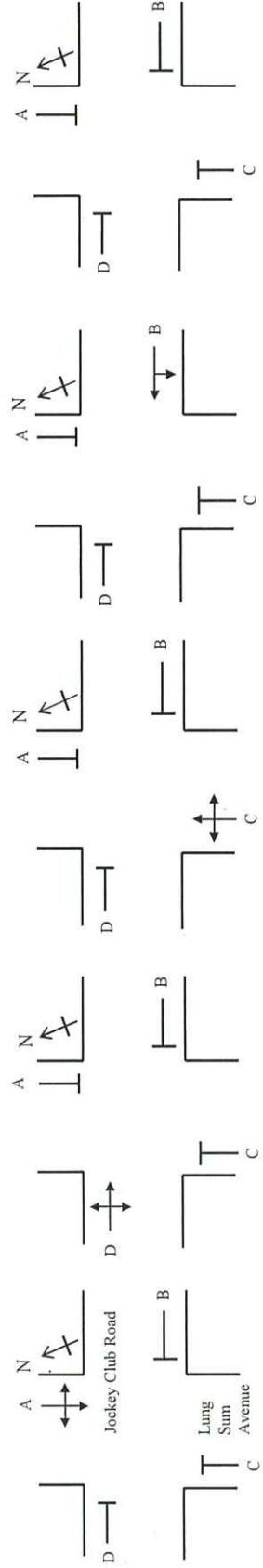
PM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.50	10.00	1965			27.88	208	0.110	0.110	40	120	14
A2	3.50	17.50	2105			100.00	103	0.053				
B1	3.80	11.00	1995			87.46	295	1.782	0.151			14
B2	3.70		2125				294	2.125				
C1	3.00	14.00	1915			43.16	234	1.830	0.128			23
C2	3.60	21.50	2115			100.00	228	1.977	0.115			
D1	3.50	11.00	1965			68.71	213	1.797	0.110			13
D2	3.80	21.50	2135			53.65	213	2.058				

$$Y = 0.499$$

$$Y_{max} = 0.67$$

$$Resv. cap. = 20\%$$



Stage 1

Stage 2

Stage 3

Stage 4

Stage 5

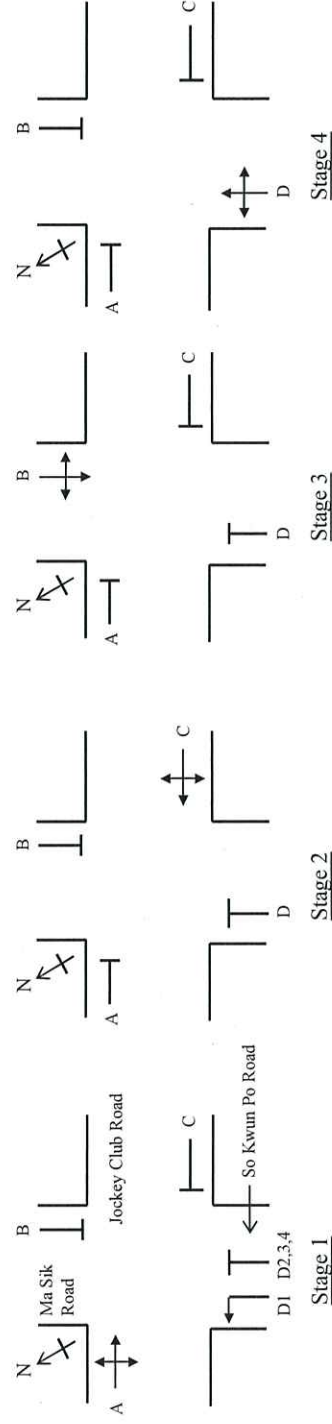
Job No.	R1106	File Name	D-JCR-MSR-SOKPR	Page	1 of 2
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	11-Dec-20
Subject	Signal Calculation of the Junction of Jockey Club Road, Ma Sik Road and So Kwun Po Road (Forecasted Year 2020)	Checked	BF	Date	11-Dec-20
		Drg. Ref.		Cal. Rev.	

AM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.20	10.00	1935		100.00	91	1,683	0.054		20	116	10
A2	3.20		2075			102	2,075	0.049				
A3	3.20		2075			102	2,075					
A4	3.20	20.00	2075		100.00	107	1,930	0.056	0.056			
A5	3.20	15.00	2075		100.00	106	1,886					
B1	3.40	10.00	1955		100.00	36	1,445	0.025				30
B2	3.40		2095			406	1,781	0.228	0.228			
B3	3.40		2095			406	1,781					
B4	3.40	20.00	2095		100.00	132	1,657	0.080				
C1	3.25	10.00	1940		100.00	140	1,687	0.072				20
C2	3.25		2080		49.29	140	2,080					
C3	3.25		2080			141	2,080					
C4	3.25	20.00	2080		100.00	148	1,935	0.076	0.076			
D1	3.50	40.00	1965		100.00	315	1,894	0.166				52
D2	3.50		2105			446	2,105	0.219	0.219			36
D3	3.50	20.00	2105		11.21	446	2,087					
D3	3.50	15.00	2105		100.00	445	1,914					

$$Y = 0.579 \quad Y_{\max} = 0.83$$

$$\text{Resv. cap.} = 29 \%$$



Job No.	R1106	File Name	D-JCR-MSR-SOKPR	Page	2 of 2
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	11-Dec-20
Subject	Signal Calculation of the Junction of Jockey Club Road, Ma Sik Road and So Kwun Po Road (Forecasted Year 2020)	Checked	BF	Date	11-Dec-20
		Drg. Ref.		Cal. Rev.	

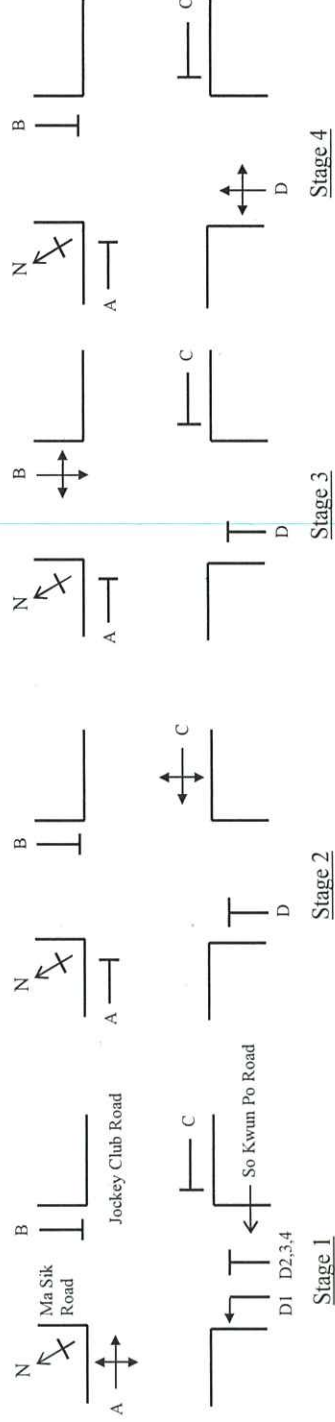
PM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.20	10.00	1935			100.00	141	0.084	0.084	20	116	10
A2	3.20		2075				90	0.043				
A3	3.20		2075				89	0.043				
A4	3.20	20.00	2075			100.00	130	0.068				
A5	3.20	15.00	2075			100.00	130	0.068				
B1	3.40	10.00	1955			100.00	45	0.031				30
B2	3.40		2095				391	0.220	0.220			
B3	3.40		2095				391	0.220				
B4	3.40	20.00	2095			100.00	184	0.111				
C1	3.25	10.00	1940			100.00	134	0.069	0.069			20
C2	3.25		2080			52.99	134	0.069				
C3	3.25		2080				135	0.069				
C4	3.25	20.00	2080			100.00	71	0.037				
D1	3.50	40.00	1965			100.00	413	0.218				52
D2	3.50		2105				403	0.191				
D3	3.50	20.00	2105			0.00	402	0.191				36
D3	3.50	15.00	2105			100.00	288	0.150				

$$Y = 0.564$$

$$Y_{max} = 0.83$$

$$Resv. cap. = 32\%$$



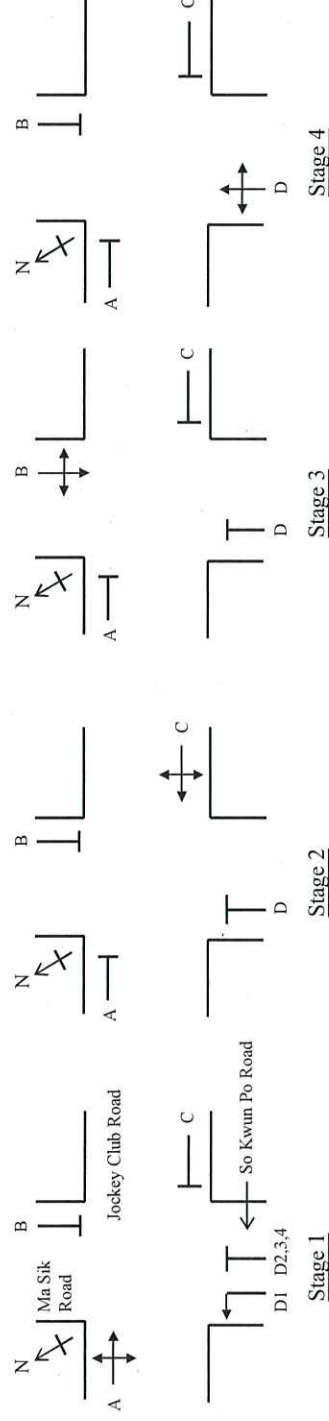
Job No.	R1106	File Name	D-JCR-MSR-SOKPR	Page	1 of 2
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	11-Dec-20
Subject	Signal Calculation of the Junction of Jockey Club Road, Ma Sik Road and So Kwun Po Road (Forecasted Year 2023)	Checked	BF	Date	11-Dec-20
		Drg. Ref.		Cal. Rev.	

AM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.20	10.00	1935			100.00	92	0.055		20	116	10
A2	3.20		2075				104	0.050				
A3	3.20		2075				103	2.075				
A4	3.20	20.00	2075			100.00	109	0.057	0.057			
A5	3.20	15.00	2075			100.00	108	1.886				
B1	3.40	10.00	1955			100.00	37	0.026				30
B2	3.40		2095				413	0.232	0.232			
B3	3.40		2095				412	1.781				
B4	3.40	20.00	2095			100.00	134	0.081				
C1	3.25	10.00	1940			100.00	143	0.073				20
C2	3.25		2080			48.25	143	2.080				
C3	3.25		2080				142	2.080				
C4	3.25	20.00	2080			100.00	150	0.078	0.078			
D1	3.50	40.00	1965			100.00	320	0.169				52
D2	3.50		2105				453	0.222	0.222			36
D3	3.50	20.00	2105			11.26	453	2.087				
D3	3.50	15.00	2105			100.00	452	1.914				

$$Y = 0.588 \quad Y_{\max} = 0.83$$

$$\text{Resv. cap.} = 27\%$$



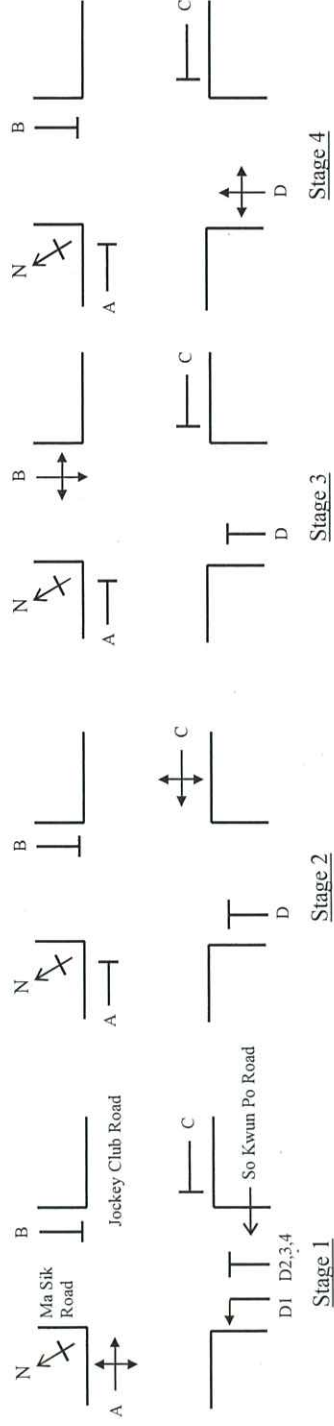
Job No.	R1106	File Name	D-JCR-MSR-SOKPR	Page	2 of 2
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	11-Dec-20
Subject	Signal Calculation of the Junction of Jockey Club Road, Ma Sik Road and So Kwun Po Road (Forecasted Year 2023)	Checked	BF	Date	11-Dec-20
		Drg. Ref.		Cal. Rev.	

PM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.20	10.00	1935			100.00	144	0.086	0.086	20	116	10
A2	3.20		2075				91	2.075	0.044			
A3	3.20		2075				91	2.075				
A4	3.20	20.00	2075			100.00	132	1.930	0.069			
A5	3.20	15.00	2075			100.00	132	1.886				
B1	3.40	10.00	1955			100.00	46	1.445	0.032			30
B2	3.40		2095				397	1.781	0.223			
B3	3.40		2095				397	1.781				
B4	3.40	20.00	2095			100.00	187	1.657	0.113			
C1	3.25	10.00	1940			100.00	136	1.687	0.070			20
C2	3.25		2080			52.94	136	2.080				
C3	3.25		2080				137	2.080				
C4	3.25	20.00	2080			100.00	72	1.935	0.037			
D1	3.50	40.00	1965			100.00	420	1.894	0.222			52
D2	3.50		2105			0.00	409	2.105	0.194			36
D3	3.50	20.00	2105			100.00	409	2.105				
D3	3.50	15.00	2105				292	1.914	0.153			

$$Y = 0.573 \quad Y_{\max} = 0.83$$

$$\text{Resv. cap.} = 30 \%$$



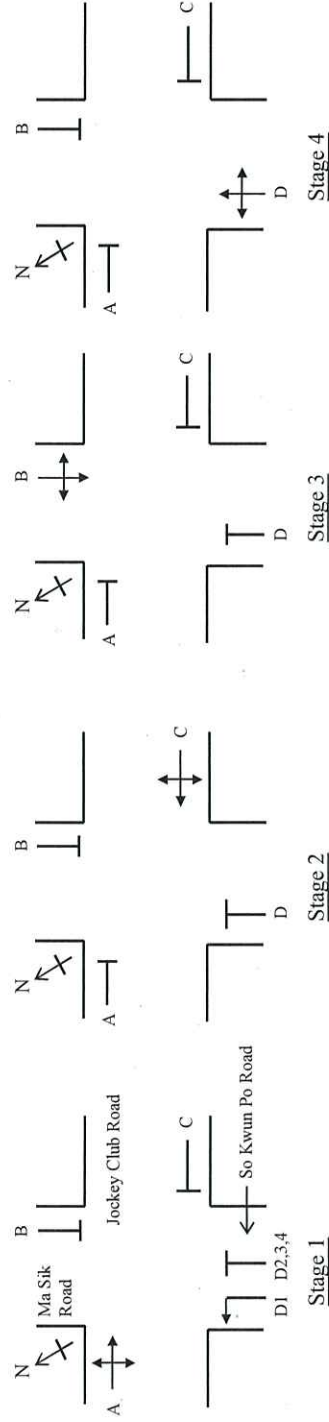
Job No.	R1106	File Name	D-JCR-MSR-SOKPR	Page	1 of 2
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	20-Jan-21
Subject	Signal Calculation of the Junction of Jockey Club Road, Ma Sik Road and So Kwun Po Road (Forecasted Year 2023 with Proposed Site)	Checked	BF	Date	20-Jan-21
		Drg. Ref.		Cal. Rev.	

AM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.20	10.00	1935		100.00	92	1,683	0.055		20	116	10
A2	3.20		2075			105	2,075	0.050				
A3	3.20		2075			104	2,075					
A4	3.20	20.00	2075		100.00	111	1,930	0.058	0.058			
A5	3.20	15.00	2075		100.00	111	1,886					
B1	3.40	10.00	1955		100.00	38	1,445	0.026				30
B2	3.40		2095			413	1,781	0.232	0.232			
B3	3.40		2095			413	1,781					
B4	3.40	20.00	2095		100.00	134	1,657	0.081				
C1	3.25	10.00	1940		100.00	143	1,687	0.073				20
C2	3.25		2080		48.25	143	2,080					
C3	3.25		2080			142	2,080					
C4	3.25	20.00	2080		100.00	151	1,935	0.078	0.078			
D1	3.50	40.00	1965		100.00	320	1,894	0.169				52
D2	3.50		2105			455	2,105	0.223	0.223			36
D3	3.50	20.00	2105		10.77	455	2,088					
D3	3.50	15.00	2105		100.00	454	1,914					

$$Y = 0.591 \quad Y_{\max} = 0.83$$

$$\text{Resv. cap.} = 26\%$$



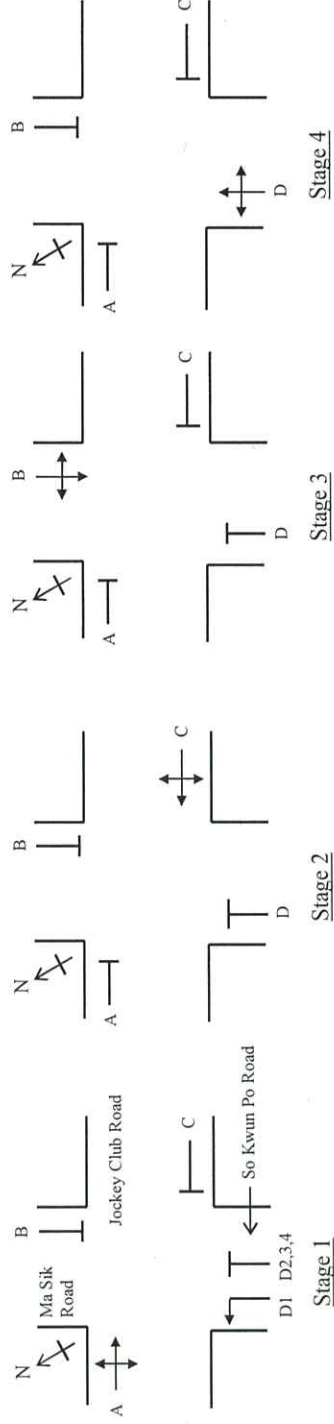
Job No.	R1106	File Name	D-JCR-MSR-SOKPR	Page	2 of 2
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	20-Jan-21
Subject	Signal Calculation of the Junction of Jockey Club Road, Ma Sik Road and So Kwun Po Road (Forecasted Year 2023 with Proposed Site)	Checked	BF	Date	20-Jan-21
		Drg. Ref.		Cal. Rev.	

PM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.20	10.00	1935			100.00	144	0.086	0.086	20	116	10
A2	3.20		2075				94	0.045				
A3	3.20		2075				93	0.045				
A4	3.20	20.00	2075			100.00	142	0.074				
A5	3.20	15.00	2075			100.00	142	0.074				
B1	3.40	10.00	1955			100.00	51	0.035				30
B2	3.40		2095				400	0.224	0.224			
B3	3.40		2095				399	0.224				
B4	3.40	20.00	2095			100.00	187	0.113				
C1	3.25	10.00	1940			100.00	136	0.070	0.070			20
C2	3.25		2080			-100.00	136	0.070				
C3	3.25		2080				137	0.070				
C4	3.25	20.00	2080			100.00	77	0.040				
D1	3.50	40.00	1965			100.00	420	0.222				52
D2	3.50		2105			0.00	421	0.200	0.200			36
D3	3.50	20.00	2105			100.00	292	0.153				
D3	3.50	15.00	2105									

$$Y = 0.580 \quad Y_{max} = 0.83$$

$$Resv. cap. = 28 \%$$



Job No.	R1106	File Name	E-FH-SKPR-R	Page	2 of 2
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	20/1/2021
Subject	Capacity Analysis for Roundabout of So Kwun Po Road and Slip Road of Fanling Highway (Year 2020)	Checked	BF	Date	20/1/2021
PM Peak		Drg. Ref.		Cal. Rev.	



Traffic Flow within the roundabout

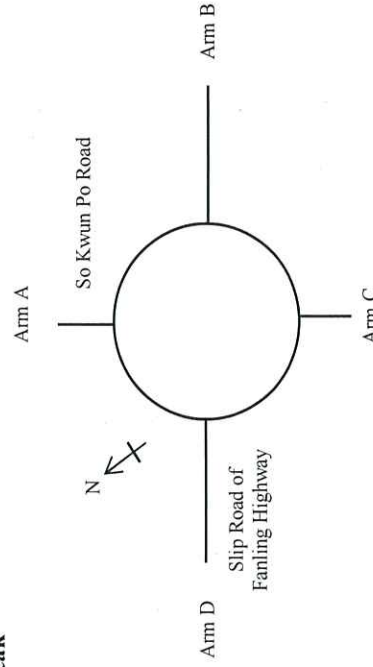
Design Parameters:

e	=	entry width (m)	Arm A	9.0	Arm B	6.8	Arm C	8.5	Arm D	8.5
v	=	approach half width (m)		7.3		6.5		6.5		3.4
L	=	effective length of flare (m)		20		25		11		15
s	=	sharpness of flare		0.14		0.02		0.29		0.54
ϕ	=	entry angle (°)		55		15		50		25
D	=	inscribed circle diameter (m)		100		100		100		100
r	=	entry radius (m)		20		95		33		55

Calculation:

q_c	=	circulating flow across entry	Arm A	552	Arm B	1592	Arm C	1540	Arm D	1373
K	=	$1-0.00347(f-30)-0.978(1/r-0.05)$		0.91		1.09		0.95		1.05
x_2	=	$v+((e-v)/(1+2s))$		8.64		6.79		7.76		5.84
M	=	$\exp((D-60)/10)$		54.60		54.60		54.60		54.60
F	=	$303x_2$		2616.85		2057.04		2352.60		1770.29
t_D	=	$1+0.5/(1+M)$		1.01		1.01		1.01		1.01
f_c	=	$0.21t_D(1+0.2x_2)$		0.58		0.50		0.54		0.46
Q_E	=	$K(F-f_cq_c)$		2099		1376		1443		1195
DFC	=	traffic flow into the roundabout/ Q_E		0.60		0.53		0.45		0.29

Job No.	R1106	File Name	E-FH-SKPR-R	Page	1 of 2
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	20/1/2021
Subject	Capacity Analysis for Roundabout of So Kwun Po Road and Slip Road of Fanling Highway (Forecasted Year 2023)	Checked	BF	Date	20/1/2021
AM Peak		Drg. Ref.		Cal. Rev.	



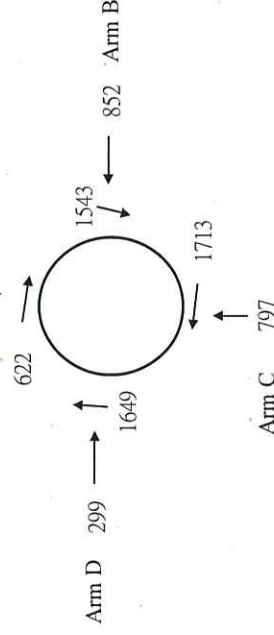
Junction Layout

Design Parameters:

e	=	entry width (m)	=	
v	=	approach half width (m)	=	
L	=	effective length of flare (m)	=	
s	=	sharpness of flare	=	
φ	=	entry angle (°)	=	
D	=	inscribed circle diameter (m)	=	
r	=	entry radius (m)	=	

Calculation:

q _c	=	circulating flow across entry	
K	=	$1 - 0.00347(f - 30) - 0.978(1/r - 0.05)$	
x ₂	=	$v + ((e - v)/(1 + 2s))$	
M	=	$\exp((D - 60)/10)$	
F	=	$303x_2$	
t _b	=	$1 + 0.5/(1 + M)$	
f _c	=	$0.21t_b(1 + 0.2x_2)$	
Q _E	=	$K(F - f_c q_c)$	
DFC	=	traffic flow into the roundabout/Q _E	

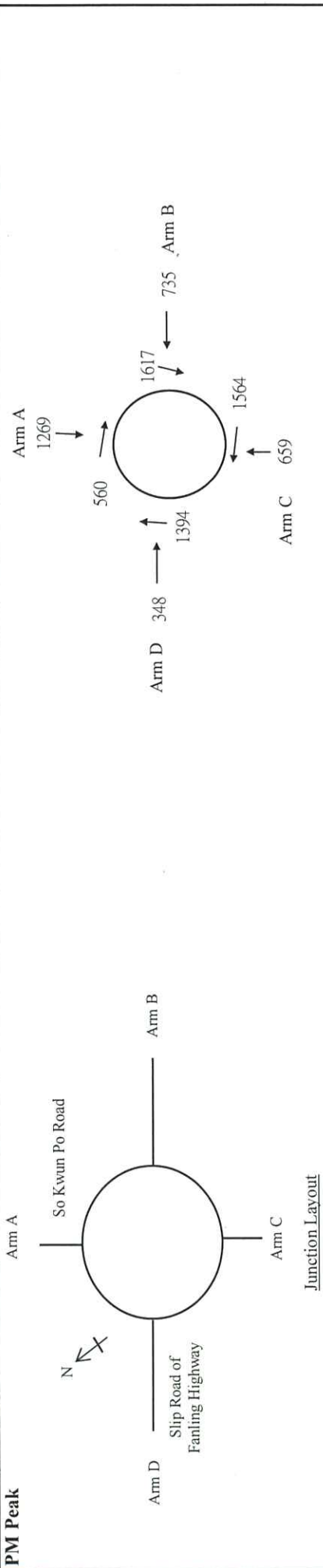


Traffic Flow within the roundabout

Arm A	Arm B	Arm C	Arm D
9.0	6.8	8.5	8.5
7.3	6.5	6.5	3.4
10	25	11	15
0.27	0.02	0.29	0.54
55	15	50	25
100	100	100	100
20	95	33	55

Arm A	Arm B	Arm C	Arm D
622	1543	1713	1649
0.91	1.09	0.95	1.05
8.40	6.79	7.76	5.84
54.60	54.60	54.60	54.60
2545.51	2057.04	2352.60	1770.29
1.01	1.01	1.01	1.01
0.57	0.50	0.54	0.46
2002	1403	1355	1062
0.62	0.61	0.59	0.28

Job No.	R1106	File Name	E-FH-SKPR-R	Page	2 of 2
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	20/1/2021
Subject	Capacity Analysis for Roundabout of So Kwun Po Road and Slip Road of Fanling Highway (Forecasted Year 2023)	Checked	BF	Date	20/1/2021
PM Peak		Drq. Ref.		Cal. Rev.	



Traffic Flow within the roundabout

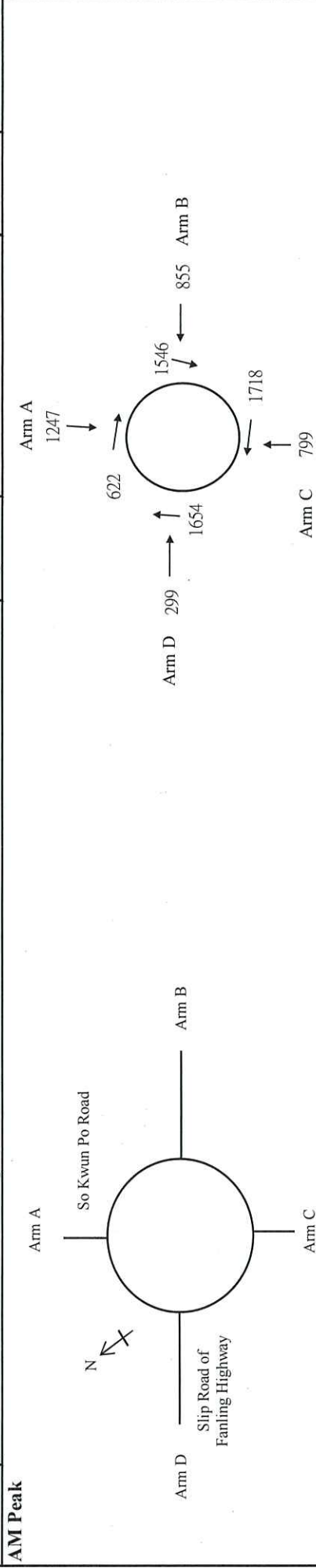
Design Parameters:

e	=	entry width (m)	Arm A	9.0	Arm B	6.8	Arm C	8.5	Arm D	8.5
v	=	approach half width (m)	Arm A	7.3	Arm B	6.5	Arm C	6.5	Arm D	3.4
L	=	effective length of flare (m)	Arm A	20	Arm B	25	Arm C	11	Arm D	15
s	=	sharpness of flare	Arm A	0.14	Arm B	0.02	Arm C	0.29	Arm D	0.54
φ	=	entry angle (°)	Arm A	55	Arm B	15	Arm C	50	Arm D	25
D	=	inscribed circle diameter (m)	Arm A	100	Arm B	100	Arm C	100	Arm D	100
r	=	entry radius (m)	Arm A	20	Arm B	95	Arm C	33	Arm D	55

Calculation:

q _c	=	circulating flow across entry	Arm A	560	Arm B	1617	Arm C	1564	Arm D	1394
K	=	$1 - 0.00347(f-30) - 0.978(1/r-0.05)$	Arm A	0.91	Arm B	1.09	Arm C	0.95	Arm D	1.05
x ₂	=	$v + ((e-v)/(1+2s))$	Arm A	8.64	Arm B	6.79	Arm C	7.76	Arm D	5.84
M	=	$\exp((D-60)/10)$	Arm A	54.60	Arm B	54.60	Arm C	54.60	Arm D	54.60
F	=	$303x_2$	Arm A	2616.85	Arm B	2057.04	Arm C	2352.60	Arm D	1770.29
t _b	=	$1 + 0.5/(1+M)$	Arm A	1.01	Arm B	1.01	Arm C	1.01	Arm D	1.01
f _c	=	$0.21t_b(1+0.2x_2)$	Arm A	0.58	Arm B	0.50	Arm C	0.54	Arm D	0.46
Q _E	=	$K(F-f_cq_c)$	Arm A	2094	Arm B	1362	Arm C	1431	Arm D	1185
DFC	=	traffic flow into the roundabout/Q _E	Arm A	0.61	Arm B	0.54	Arm C	0.46	Arm D	0.29

Job No.	R1106	File Name	E-FH-SKPR-R	Page	1 of 2
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	20/1/2021
Subject	Capacity Analysis for Roundabout of So Kwun Po Road and Slip Road of Fanling Highway (Forecasted Year 2023 with Proposed Site)	Checked	BF	Date	20/1/2021
AM Peak		Drg. Ref.		Cal. Rev.	



Traffic Flow within the roundabout

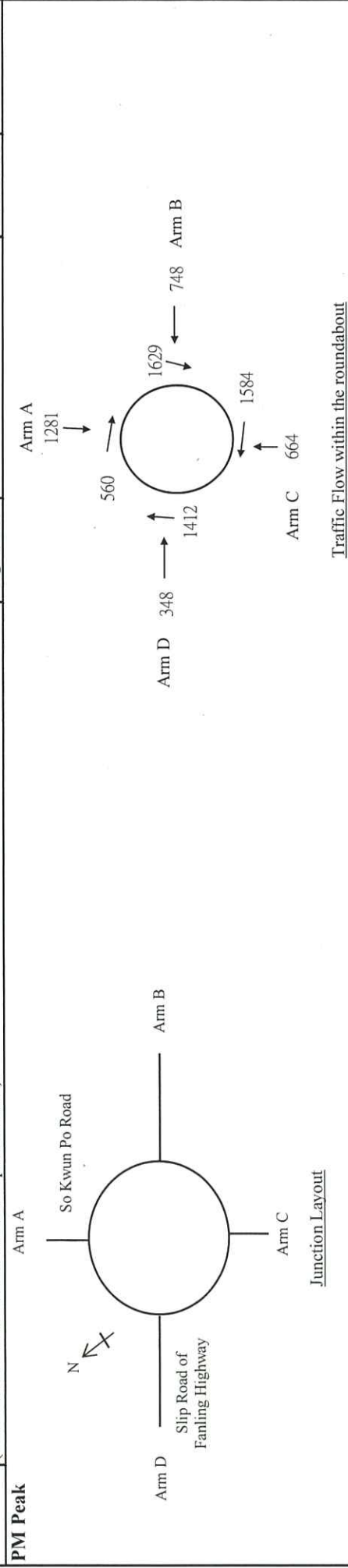
Design Parameters:

e	=	entry width (m)	Arm A	Arm B	Arm C	Arm D
v	=	approach half width (m)	9.0	6.8	8.5	8.5
L	=	effective length of flare (m)	7.3	6.5	6.5	3.4
s	=	sharpness of flare	10	25	11	15
φ	=	entry angle (°)	0.27	0.02	0.29	0.54
D	=	inscribed circle diameter (m)	55	15	50	25
r	=	entry radius (m)	100	100	100	100
	=		20	95	33	55

Calculation:

q _c	=	circulating flow across entry	Arm A	Arm B	Arm C	Arm D
K	=	$1 - 0.00347(f-30) - 0.978(1/r-0.05)$	622	1546	1718	1654
x ₂	=	$v + ((e-v)/(1+2s))$	0.91	1.09	0.95	1.05
M	=	$\exp((D-60)/10)$	8.40	6.79	7.76	5.84
F	=	$303x_2$	54.60	54.60	54.60	54.60
t _D	=	$1 + 0.5/(1+M)$	2545.51	2057.04	2352.60	1770.29
f _c	=	$0.21t_D(1+0.2x_2)$	1.01	1.01	1.01	1.01
Q _E	=	$K(F-f_cq_c)$	0.57	0.50	0.54	0.46
DFC	=	traffic flow into the roundabout/Q _E	2002	1401	1352	1059
	=		0.62	0.61	0.59	0.28

Job No.	R1106	File Name	E-FH-SKPR-R	Page	2 of 2
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	20/1/2021
Subject	Capacity Analysis for Roundabout of So Kwun Po Road and Slip Road of Fanling Highway (Forecasted Year 2023 with Proposed Site)	Checked	BF	Date	20/1/2021
PM Peak		Drg. Ref.		Cal. Rev.	



Design Parameters:		Traffic Flow within the roundabout			
e	= entry width (m)	Arm A	Arm B	Arm C	Arm D
v	= approach half width (m)	9.0	6.8	8.5	8.5
L	= effective length of flare (m)	7.3	6.5	6.5	3.4
s	= sharpness of flare	20	25	11	15
φ	= entry angle (°)	0.14	0.02	0.29	0.54
D	= inscribed circle diameter (m)	55	15	50	25
r	= entry radius (m)	100	100	100	100
		20	95	33	55
Calculation:					
q _c	= circulating flow across entry	Arm A	Arm B	Arm C	Arm D
K	= 1-0.00347(f-30)-0.978(1/r-0.05)	560	1629	1584	1412
x ₂	= v+((e-v)/(1+2s))	0.91	1.09	0.95	1.05
M	= exp((D-60)/10)	8.64	6.79	7.76	5.84
F	= 303x ₂	54.60	54.60	54.60	54.60
t _b	= 1+0.5/(1+M)	2616.85	2057.04	2352.60	1770.29
f _c	= 0.21t _b (1+0.2x ₂)	1.01	1.01	1.01	1.01
Q _E	= K(F-f _c q _c)	0.58	0.50	0.54	0.46
DFC	= traffic flow into the roundabout/Q _E	2094	1356	1421	1176
		0.61	0.55	0.47	0.30

Lane lease conditions, the unnamed road

- 13 -

(ii) The Director and his officers and contractors, his or their workmen with or without tools, equipment, machinery or motor vehicles shall have the right of free ingress, egress and regress to and from the Green Areas for the purpose of inspecting, maintaining, repairing and renewing the drains, sewers and all other services across, through or under the Green Areas. The Director and his officers and contractors, his and their workmen shall have no liability in respect of any loss, damage, nuisance or disturbance whatsoever caused to or suffered by the Grantee arising out of or incidental to the exercise by him or them the right of ingress, egress and regress conferred under this Special Condition, and no claim shall be made against him or them by the Grantee in respect of any loss, damage, nuisance or disturbance.

Liabilities
of the
Grantee

(f) No action taken or approval given by the Director under this Special Condition shall in any way affect the liabilities of the Grantee under these Conditions.

Formation of
the Purple
Area (time
limit, manner
and purpose)

(5) (a) The Grantee shall :

- (i) within 24 months from the date of this Agreement and before any building works commence on the lot, at his own expense and in all respects to the satisfaction of the Director lay, form, provide construct and surface in such manner with such materials and to such standards, levels, alignment and design as the Director shall approve, (including the provision and construction of such pavements and roads, sewers and drains as the Director in his sole discretion may require, so that vehicular and pedestrian traffic may be carried thereon, which pavements and roads shall have a minimum width of 6.6 metres) those portions of the lot shown coloured purple hatched black, purple stippled black on the plan annexed hereto; (hereinafter collectively referred to as "the Purple Area");
- (ii) within 24 months from the date of this Agreement and before any building works commence on the lot at his own expense and to the satisfaction of the Director surface, kerb and channel the Purple Area and provide the same with such gullies, sewers, drains, fire hydrants with pipes connected to water mains, street lights and street furniture as the Director may require;
- (iii) upon completion of the works in accordance with sub-clauses a(i) and a(ii) hereof keep open, uphold and maintain over and along the Purple Area at all times throughout the term hereby granted a free and uninterrupted pedestrian and vehicular right of way for the public; and

- (iv) throughout the whole term hereby agreed to be granted manage and maintain at his own expense the Purple Area in good and substantial repair and condition in all respects to the satisfaction of the Director.

Public right
of way

(b) The Grantee shall keep and maintain at his own cost the existing public right of way in, on, through, over or across the existing track shown and marked on the Plan I annexed hereto free, uninterrupted and unobstructed for the use of the public until the public right of way stipulated under sub-clause (a) of this Special Condition has been completed to the satisfaction of the Director.

(c) Notwithstanding the provisions of sub-clause (b) of this Special Condition, upon the Grantee carrying out the formation works under sub-clause (a) of this Special Condition, temporary diversion required for the continuance of the said existing public right of way may be permitted in such manner and subject to such conditions as may be imposed by the Director.

Formation of
the Purple
Area (non-
fulfilment)

(d) In the event of the non-fulfilment of the Grantee's obligations under sub-clause (a) of this Special Condition within the prescribed period stated therein, the Government may carry out the necessary works at the cost of the Grantee who shall pay to the Government on demand a sum equal to the cost thereof, such sum to be determined by the Director whose determination shall be final and shall be binding upon the Grantee.

(e) The Grantee shall indemnify and keep indemnified the Government against all actions, proceedings, liabilities, demands, costs, expenses and claims whatsoever arising out of or in connection with the use of or any work carried out on the public right of way required to be provided under sub-clauses (b) and (c) of this Special Condition.

Drainage
reserve

(6) (a) No building or buildings or structure or structures of any nature or support for any building or buildings or structure or structures shall be erected on or over those portions of the lot shown hatched black, purple hatched black, purple stippled black, yellow hatched black and yellow stippled black on Plan I annexed hereto (hereinafter collectively referred to as the "Drainage Reserve Area").

Exemption
from liability

(b) The Director and his officers and contractors, his or their workmen with or without tools, equipment, machinery or motor vehicles shall have the right of free ingress, egress and regress to and from the Drainage Reserve Area for the purpose of inspecting, maintaining, repairing and renewing the drains, sewers and all other services across, through or under the Drainage Reserve Area and also for access to and maintenance of the River Indus. The Director and officers and contractors, his and their workmen shall have no liability in respect of any loss, damage, nuisance or disturbance whatsoever caused to or suffered by the Grantee arising out of or incidental to the exercise by him or them the right of ingress, egress and regress conferred under this Special Condition, and no claim shall be made against him or them by the Grantee in respect of any loss, damage, nuisance or disturbance.

Summary of Applied Uses

Erection	Designation	Width x Length x Height - m (about)	No.	Area - m ² (about)	Area Falling within Zoned Uses -m ² (about)				Applied Use	Remarks	
					G/IC	O	Road	AGR			
Application Site A											
Outlet Hall No.1	H1	36m x 36m x 4.5m	1	1,296.0	1,291.58		4.42		Shop & Services and Place of Entertainment	For outlet	
Outlet Hall No.2	H2	27m x 57.5m x 4.5m	1	1,552.5	400.50	257.30	894.70		Shop & Services and Place of Entertainment	For outlet	
Outlet Hall No.3	H3	35m x 30m x 4.5m	1	1,050.0	763.30	286.70			Shop & Services and Place of Entertainment	For outlet	
Outlet Hall No.4	H4	35m x 30m x 4.5m	1	1,050.0	88.40	226.00	735.60		Shop & Services and Place of Entertainment	For outlet	
Shelter	S1	6m x 12m x 4.5m	1	72.0		72.00				Ancillary Seating Area	
Barbecue Site		N/A				636.50			Place of Recreation, Sports or Culture (Barbecue Site)	Barbecue Site and there is no GFA	
Tent	TT1	4.7m x 9.5m x 2.86m	1	44.7	36.60	8.10			Place of Entertainment	Retractable	
Yurt	TT2	10.0m (diameter) x 4.5m	1	78.5		78.50			Place of Entertainment	Retractable	
Marquee	M1	9.6m x10m x 4m	1	96.0	32.40		63.60			Ancillary Seating Area, retractable/movable	
Toilet	T1 - T7	1.2m x 1.2m x 2.2m	7	10.1	10.10					Ancillary use, temporary/movable	
Toilet	T8 - T13	1.2m x 1.2m x 2.2m	6	8.6	3.80		4.80			Ancillary use, temporary/movable	
Toilet	T14 - T19	1.2m x 1.2m x 2.2m	6	8.6		8.60				Ancillary use, temporary/movable	

Break down of GFA

Toilet	T20 - T24	1.2m x 1.2m x 2.2m	5	7.2	7.20					Ancillary use, temporary/movable
Container	C1 - C5	3m x 6m x 2.66m	5	90.0	90.00					Ancillary storage, movable
Container	C6 - C7	3m x 6m x 2.66m	2	36.0	15.00	21.00			Shop & Services	Movable
Container	C8 - C9	3m x 6m x 2.66m	2	36.0	36.00					Ancillary office, movable
Container	C10	3m x 12m x 2.66m	1	36.0		36.00			Shop & Services	Movable
Sub-total					2,767.68	1,637.90	1,703.12			
Total				5,472.21						

Application Site B										
Public Vehicle Park (excluding container vehicle)		N/A				302.35	6,867.91	Public Vehicle Park (excluding container vehicle)	Area in AGR zone includes area for the 2 mobile toilets and Caretaker's Kiosk	
Toilet	T25 - T26	1.2m x 1.2m x 2.2m	2	2.9			2.90		Ancillary use, temporary/movable	
Caretaker's Kiosk	K1	2.0m x 2.0m x 2.2m	1	4.0			4.00		Ancillary use, temporary/movable	
Sub-total							6.90			
Total				6.90						

Appendix C

Sensitivity Test for 20% of Visitor Taking Private / Taxi

Based on the same assumption that each private car/taxi will carry 3 visitors, the peak traffic flow generated may be taken as $1415 \times 20\% / 3 = 95$ pcu per hour.

Results of junction capacity analysis of concerned junction in Year 2023 with Proposed Site

Junction No.	Junction	Junction Type	RC (%) / DFC	
			AM	PM
A	Lung Sum Avenue / Tin Ping Road / Un-named Road	Signalised	50	30
B	Ma Sik Road / Tin Ping Road	Signalised	28	28
C	Lung Sum Avenue / Jockey Club Road	Signalised	19	16
D	Jockey Club Road / Ma Sik Road / So Kwun Po Road	Signalised	26	27
E	So Kwun Po Road / Slip Road of Fanling Highway	Roundabout	0.62	0.62

The results of the junction capacity analysis indicate that the concerned road junctions are operating in a satisfactory level.

Sensitivity Test for 0% Visitor Access the Subject Site from Northern Part of Ng Tung River

According to the assumption of the transportation mode of the visitor in the revised traffic review, 10% of the visitor will access the subject site from the north of Ng Tung River. Sensitivity test was carried out for 0% visitor will utilize the footpaths of the north of the Ng Tung River. Also, 20% of the visitor is assumed to use trolley to carry goods and a factor of 2 will be applied for the visitor to use trolley. The result of the LOS was shown on Appendix C. Based on the results of LOS, Grade C of LOS can be maintained with 0% of visitor from the north of Ng Tung River.

Job No.	R1106	File Name	A-LUA-TPR	Page	1 of 1
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	20-Jan-21
Subject	Signal Calculation of the Junction of Lung Sum Avenue, Ting Ping Road and Un-named Road (Forecasted Year 2023 with 20% visitor taking private car to Proposed Site)	Checked	BF	Date	20-Jan-21
		Drg. Ref.		Cal. Rev.	

AM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.25	8.00	1940			20.55	146	0.078		42	110	12
A2	3.25	12.00	2080			100.00	158	0.085	0.085			
B	4.00	8.00	2015			0.56	170	0.084	0.084			18
C1	3.25	10.00	1940			100.00	103	0.061				23
C2	3.25	12.00	2080			26.67	255	0.127	0.127			
D1	3.50	10.00	1965			66.41	131	0.073	0.073			11
D2	3.50	12.00	2105			100.00	124	0.066				

$$Y = 0.370 \quad Y_{\max} = 0.62$$

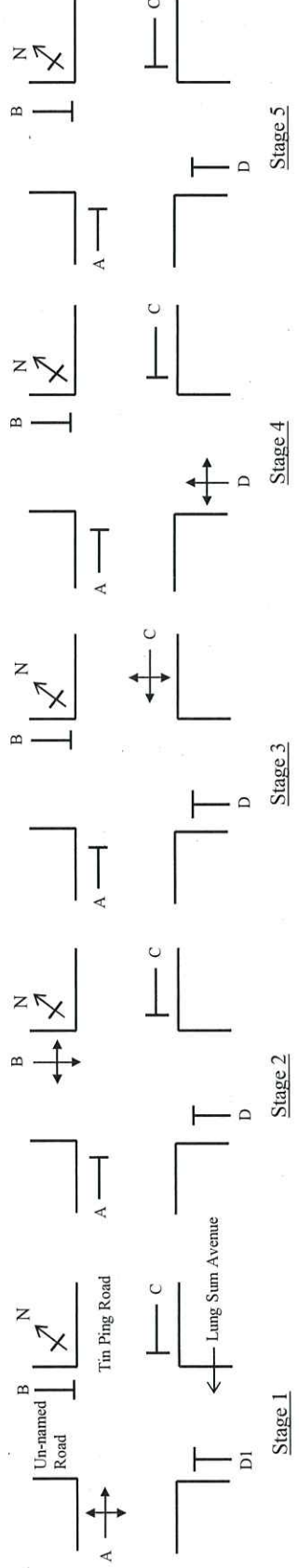
$$\text{Resv. cap.} = 50\%$$

PM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.25	8.00	1940			28.37	141	0.077	0.077	42	110	12
A2	3.25	12.00	2080			100.00	135	0.073				
B	4.00	8.00	2015			0.48	170	0.084	0.084			12
C1	3.25	10.00	1940			100.00	111	0.066				26
C2	3.25	12.00	2080			41.98	343	0.174	0.174			
D1	3.50	10.00	1965			62.50	168	0.094	0.094			14
D2	3.50	12.00	2105			100.00	137	0.073				

$$Y = 0.428 \quad Y_{\max} = 0.62$$

$$\text{Resv. cap.} = 30\%$$



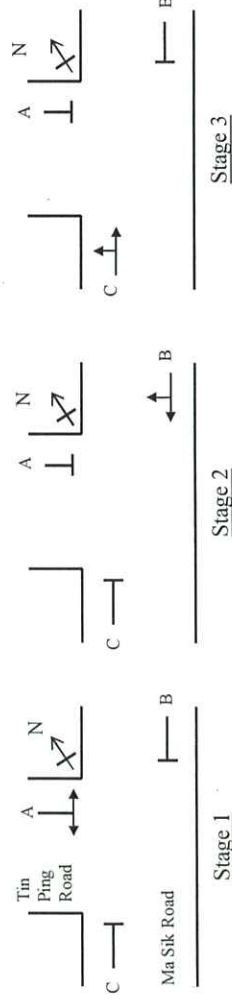
Job No.	R1106	File Name	B-MSR-TPR	Page	1 of 1
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	20-Jan-21
Subject	Signal Calculation of the Junction of Ma Sik Road with Ting Ping Road (Forecasted Year 2023 with 20% visitor taking private car to Proposed Site)	Checked	BF	Date	20-Jan-21
		Drg. Ref.		Cal. Rev.	

AM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time c sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.30	10.00	1945			100.00	195	0.109	0.109	15	90	13
A2	3.30	15.00	2085			100.00	195					
B1	3.70		1985				409	0.203	0.203			25
B2	3.70	15.00	2125			38.24	408					
C1	3.70	10.00	1985			39.06	553	0.276	0.276			34
C2	3.70		2125				553					
									Y = 0.588	Ymax = 0.83		
										Resv. cap. = 28 %		

PM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time c sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.30	10.00	1945			100.00	197	0.110	0.110	15	90	13
A2	3.30	15.00	2085			100.00	197					
B1	3.70		1985				422	0.208	0.208			25
B2	3.70	15.00	2125			25.36	422					
C1	3.70	10.00	1985			53.60	528	0.266	0.266			34
C2	3.70		2125				527					
									Y = 0.584	Ymax = 0.83		
										Resv. cap. = 28 %		



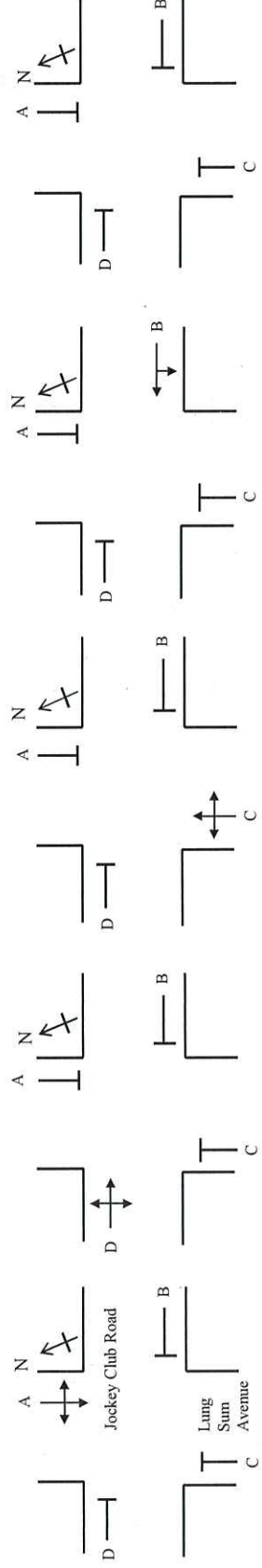
Job No.	R1106	File Name	C-LSA-JCR	Page	1 of 1
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	20-Jan-21
Subject	Signal Calculation of the Junction of Lung Sum Avenue and Jockey Club Road (Forecasted Year 2023 with 20% visitor taking private car to Proposed Site)	Checked	BF	Date	20-Jan-21
		Drg. Ref.		Cal. Rev.	

AM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.50	10.00	1965		22.92	144	1,900	0.076	0.076	40	120	14
A2	3.50	17.50	2105		100.00	64	1,939	0.033				
B1	3.80	11.00	1995		70.85	295	2,125	0.149	0.149			14
B2	3.70		2125			294						
C1	3.00	14.00	1915		26.88	346	1,861	0.186	0.186			23
C2	3.60	21.50	2115		100.00	51	1,977	0.026				
D1	3.50	11.00	1965		67.76	183	1,799	0.095	0.095			13
D2	3.80	21.50	2135		53.55	183	2,058					
								Y =	0.506	Ymax = 0.67		
								Resv. cap. = 19 %				

PM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.50	10.00	1965		34.04	235	1,870	0.126	0.126	40	120	14
A2	3.50	17.50	2105		100.00	107	1,939	0.055				
B1	3.80	11.00	1995		87.46	295	1,782	0.151	0.151			14
B2	3.70		2125			294	2,125					
C1	3.00	14.00	1915		42.44	238	1,832	0.130	0.130			23
C2	3.60	21.50	2115		100.00	228	1,977	0.115				
D1	3.50	11.00	1965		70.23	215	1,793	0.112	0.112			13
D2	3.80	21.50	2135		53.02	215	2,059					
								Y =	0.518	Ymax = 0.67		
								Resv. cap. = 16 %				



Stage 1

Stage 2

Stage 3

Stage 4

Stage 5

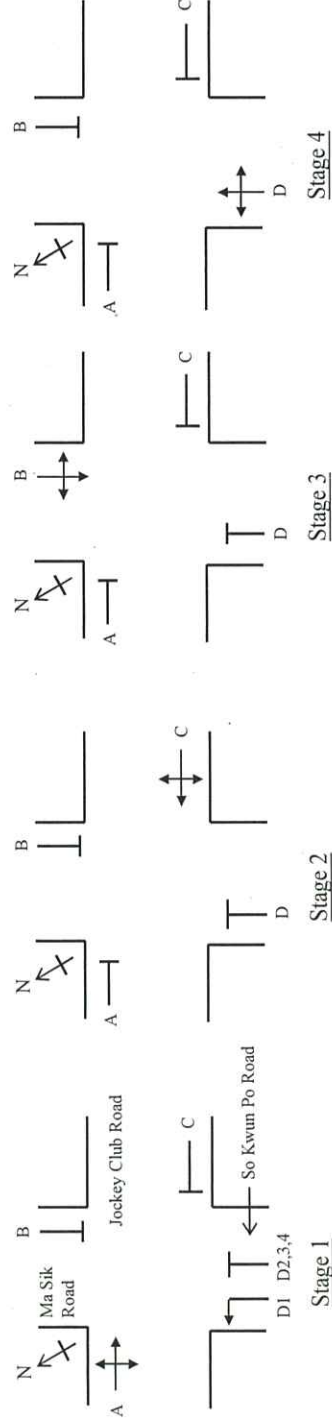
Job No.	R1106	File Name	D-JCR-MSR-SOKPR	Page	1 of 2
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	20-Jan-21
Subject	Signal Calculation of the Junction of Jockey Club Road, Ma Sik Road and So Kwun Po Road (Forecasted Year 2023 with 20% visitor taking private car to Proposed Site)	Checked	BF	Date	20-Jan-21
		Drg. Ref.		Cal. Rev.	

AM Peak

Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.20	10.00	1935			100.00	92	0.055		20	116	10
A2	3.20		2075				105	0.050				
A3	3.20		2075				104	2.075				
A4	3.20	20.00	2075			100.00	111	0.058	0.058			
A5	3.20	15.00	2075			100.00	111	1.886				
B1	3.40	10.00	1955			100.00	38	1.445				30
B2	3.40		2095				413	1.781	0.232			
B3	3.40		2095				413	1.781				
B4	3.40	20.00	2095			100.00	134	1.657	0.081			
C1	3.25	10.00	1940			100.00	143	1.687				20
C2	3.25		2080			48.25	143	2.080				
C3	3.25		2080				142	2.080				
C4	3.25	20.00	2080			100.00	151	1.935	0.078			
D1	3.50	40.00	1965			100.00	320	1.894	0.169			52
D2	3.50		2105				455	2.105	0.223			36
D3	3.50	20.00	2105			10.77	455	2.088				
D3	3.50	15.00	2105			100.00	454	1.914				

$$Y = 0.591 \quad Y_{max} = 0.83$$

$$Resv. cap. = 26 \%$$



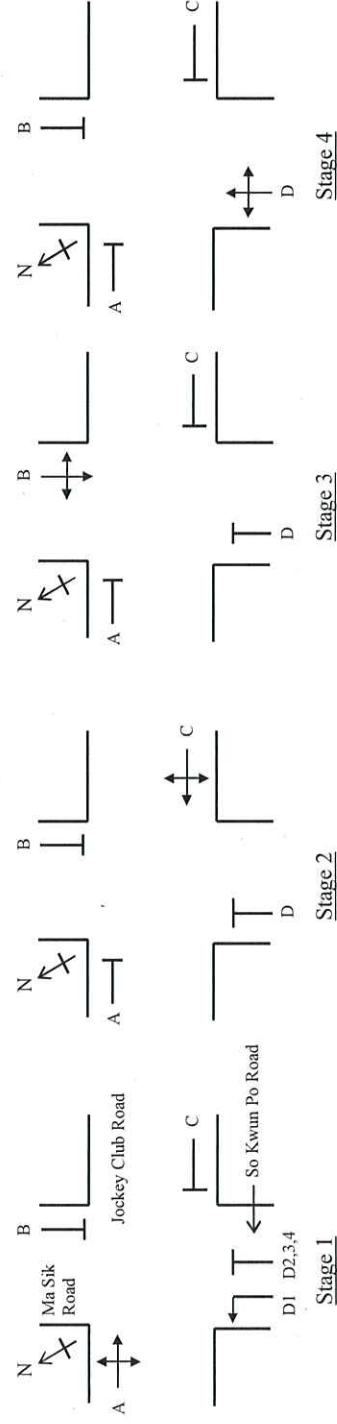
Job No.	R1106	File Name	D-JCR-MSR-SOKPR	Page	2 of 2
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	20-Jan-21
Subject	Signal Calculation of the Junction of Jockey Club Road, Ma Sik Road and So Kwun Po Road (Forecasted Year 2023 with 20% visitor taking private car to Proposed Site)	Checked	BF	Date	20-Jan-21
		Drg. Ref.		Cal. Rev.	

PM Peak

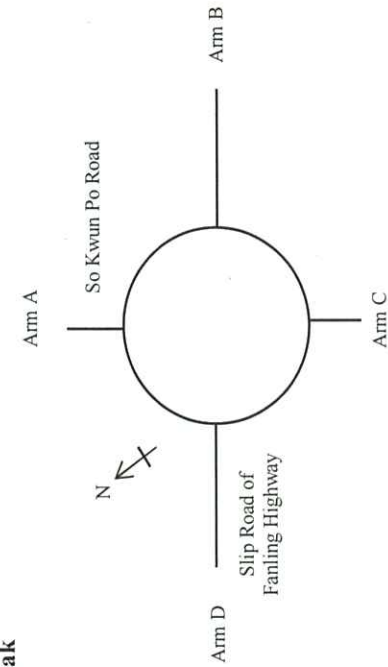
Movement	Width m	Radius m	Sat. Flow (No Turning) pcu/h	Grad. %	Actual Flow		Rev. Sat. pcu/h	y	Critical y	Time Lost L sec.	Cycle Time sec.	Proposed Green Time sec.
					Prop. of Turning Vehicles %	Flow pcu/h						
A1	3.20	10.00	1935			144	1,683	0.086	0.086	20	116	10
A2	3.20		2075			96	2,075	0.046				
A3	3.20		2075			95	2,075					
A4	3.20	20.00	2075			151	1,930	0.079				
A5	3.20	15.00	2075			151	1,886					
B1	3.40	10.00	1955			56	1,445	0.039				30
B2	3.40		2095			402	1,781	0.226	0.226			
B3	3.40		2095			402	1,781		0.226			
B4	3.40	20.00	2095			187	1,657	0.113				
C1	3.25	10.00	1940			136	1,687	0.070	0.070			20
C2	3.25		2080			136	2,080					
C3	3.25		2080			137	2,080					
C4	3.25	20.00	2080			81	1,935	0.042				
D1	3.50	40.00	1965			420	1,894	0.222				52
D2	3.50		2105			433	2,105	0.205	0.205			36
D3	3.50	20.00	2105			432	2,105					
D3	3.50	15.00	2105			292	1,914	0.153				

$$Y = 0.587 \quad Y_{\max} = 0.83$$

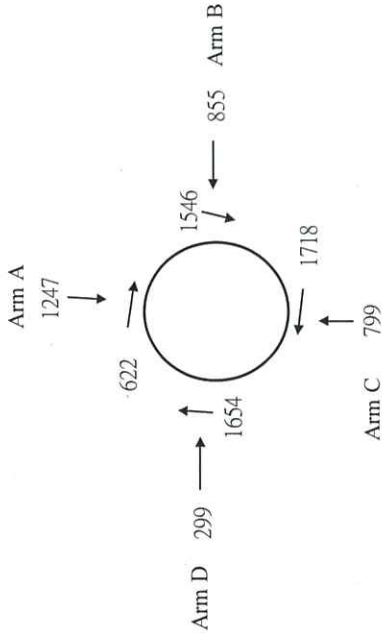
$$\text{Resv. cap.} = 27\%$$



Job No.	R11106	File Name	E-FH-SKPR-R	Page	1 of 2
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	20/1/2021
Subject	Capacity Analysis for Roundabout of So Kwun Po Road and Slip Road of Fanling Highway (Forecasted Year 2023 with 20% visitor taking private car to Proposed Site)	Checked	BF	Date	20/1/2021
AM Peak		Drg. Ref.		Cal. Rev.	



Junction Layout



Traffic Flow within the roundabout

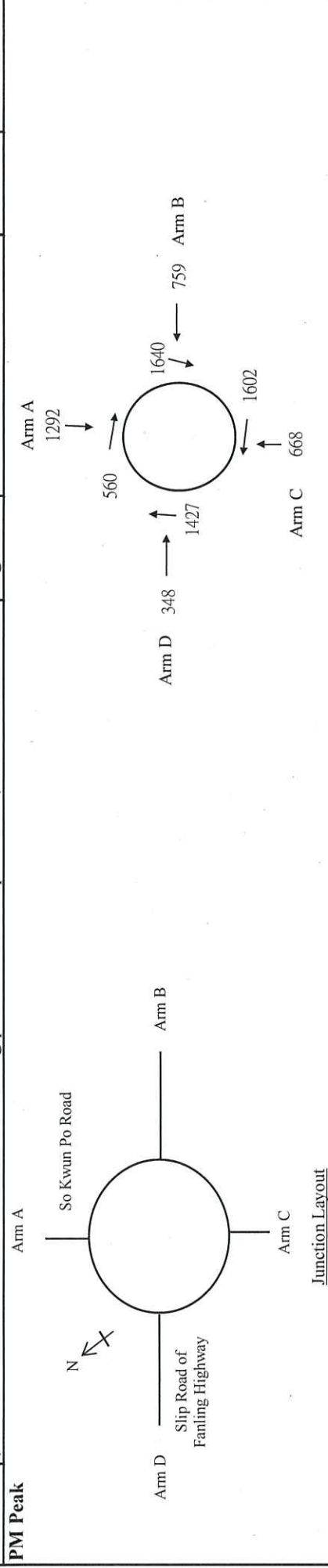
Design Parameters:

e	=	entry width (m)	Arm A	9.0	Arm B	6.8	Arm C	8.5	Arm D	8.5
v	=	approach half width (m)		7.3		6.5		6.5		3.4
L	=	effective length of flare (m)		10		25		11		15
s	=	sharpness of flare		0.27		0.02		0.29		0.54
φ	=	entry angle (°)		55		15		50		25
D	=	inscribed circle diameter (m)		100		100		100		100
r	=	entry radius (m)		20		95		33		55

Calculation:

q _c	=	circulating flow across entry	Arm A	622	Arm B	1546	Arm C	1718	Arm D	1654
K	=	$1 - 0.00347(f - 30) - 0.978(1/r - 0.05)$		0.91		1.09		0.95		1.05
x ₂	=	$v + ((e - v)/(1 + 2s))$		8.40		6.79		7.76		5.84
M	=	$\exp((D - 60)/10)$		54.60		54.60		54.60		54.60
F	=	$303x_2$		2545.51		2057.04		2352.60		1770.29
t _b	=	$1 + 0.5/(1 + M)$		1.01		1.01		1.01		1.01
f _c	=	$0.21t_b(1 + 0.2x_2)$		0.57		0.50		0.54		0.46
Q _E	=	$K(F - f_c q_c)$		2002		1401		1352		1059
DFC	=	traffic flow into the roundabout/Q _E		0.62		0.61		0.59		0.28

Job No.	R1106	File Name	E-FH-SKPR-R	Page	2 of 2
Client	Ho Lam Enterprise Investing Ltd. & Chi Wah Investment Group Ltd.	Calculated	TKY	Date	20/1/2021
Subject	Capacity Analysis for Roundabout of So Kwun Po Road and Slip Road of Fanling Highway (Forecasted Year 2023 with 20% visitor taking private car to Proposed Site)	Checked	BF	Date	20/1/2021
PM Peak		Drig. Ref.		Cal. Rev.	



Traffic Flow within the roundabout

Design Parameters:

e	=	entry width (m)	Arm A	Arm B	Arm C	Arm D
v	=	approach half width (m)	9.0	6.8	8.5	8.5
L	=	effective length of flare (m)	7.3	6.5	6.5	3.4
s	=	sharpness of flare	20	25	11	15
φ	=	entry angle (°)	0.14	0.02	0.29	0.54
D	=	inscribed circle diameter (m)	55	15	50	25
r	=	entry radius (m)	100	100	100	100
	=		20	95	33	55

Calculation:

q _c	=	circulating flow across entry	Arm A	Arm B	Arm C	Arm D
K	=	$1 - 0.00347(f - 30) - 0.978(1/r - 0.05)$	560	1640	1602	1427
x ₂	=	$v + ((e - v)/(1 + 2s))$	0.91	1.09	0.95	1.05
M	=	$\exp((D - 60)/10)$	8.64	6.79	7.76	5.84
F	=	$303x_2$	54.60	54.60	54.60	54.60
t _b	=	$1 + 0.5/(1 + M)$	2616.85	2057.04	2352.60	1770.29
f _c	=	$0.21t_b(1 + 0.2x_2)$	1.01	1.01	1.01	1.01
Q _E	=	$K(F - f_c q_c)$	0.58	0.50	0.54	0.46
DFC	=	traffic flow into the roundabout/Q _E	2094	1350	1412	1169
	=		0.62	0.56	0.47	0.30

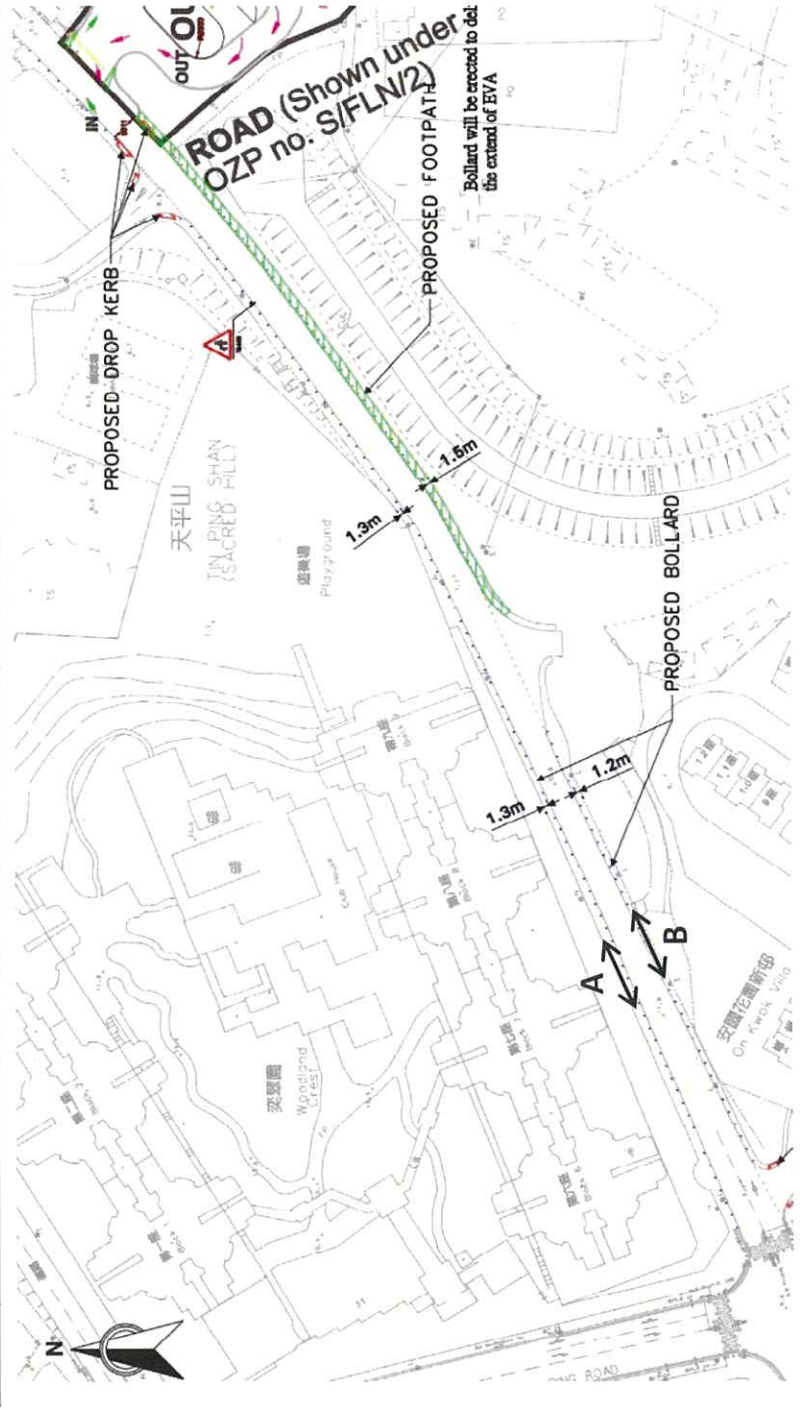
Level of Service (LOS) of Pedestrian Walkway along Unnamed Road (with proposed site)

Location	Original Peak Hour 2-way Pedestrian Flow (no. of ped)	Assumed % of Visitor taking GMB (%)	Assumed % of Visitor taking private car (%)	Assumed % of Visitor using Trolley (%)*	Assumed % of Visitor coming from North of Ng Tung River (%)	Revised Peak Hour Pedestrian Flow $f=a*(1-(b+c+e))*(1+d)$	Actual Width (m)	Effective Width (m)	Peak Pedestr	LOS
A	1415	15	10	20	e	1104	1.3	0.8	23.0	C
B	1415	15	10	20	10	1104	1.2	0.7	26.3	C

*Remark: A factor of 2 will be applied to pedestrian using trolley

Sensitivity Test of Level of Service (LOS) of Pedestrian Walkway along Unnamed Road (with 0% of Visitor from North of Ng Tung River)

Location	Original Peak Hour 2-way Pedestrian Flow (no. of ped)	Assumed % of Visitor taking GMB (%)	Assumed % of Visitor taking private car (%)	Assumed % of Visitor using Trolley (%)*	Assumed % of Visitor coming from North of Ng Tung River (%)	Revised Peak Hour Pedestrian Flow $f=a*(1-(b+c+e))*(1+d)$	Actual Width (m)	Effective Width (m)	Peak Pedestr	LOS
A	1415	15	10	20	e	1274	1.3	0.8	26.5	C
B	1415	15	10	20	0	1274	1.2	0.7	30.3	C



Appendix D

Responses to Comments from AC for T/NT received on 2 March 2021

Comments received:		Responses:	TDs' Further Comments	Further Responses
1.	From: AC for T/NT (Mr Alex Lam, Date: 8 January 2021)			
	With reference to the further information provided on 28 December 2020, TD's comments on the Traffic Review are as follows:-			
1)	R-to-C Item 1 –			
	A layout drawing showing the existing access roads at the north of Tin Ping Road in the vicinity of j/o Tin Ping Road/Lung Shum Avenue/unnamed road adjoining Woodland Crest shall be provided with key dimensions for reference.	Separate layout drawing showing the key dimension of the existing access road at North of Tin Ping Road in the vicinity of j/o Tin Ping Road/Lung Shum Avenue/unnamed road adjoining Woodland Crest had been provided in Appendix of the revised traffic review. All of the existing run-in/out along the unnamed road had been identified on the layout drawing of the revised traffic review. Drop kerb and railings will be proposed to guide the pedestrian to walk across these run in/out and alert the motorists of the pedestrian traffic.	The dimensions of the public road and footpath near Site B including the bridge across Ng Tung River are not marked in Figure 3-1. Please clarify.	Additional dimension of the public road and footpath near Site B had been shown on revised Figure 3-1.
	It is noted that there is an existing run-in/out at the eastern pavement of the unnamed road near such section of the proposed footpath. In this connection, please advise the arrangement for pedestrian safety at the junction of proposed footpath and the existing run-in/out. Please also identify all existing run-in/outs along the unnamed roads connecting with the subject sites for reference and review their pedestrian safety.	We notice that Site A is in conflict with Government Land Allocation no. GLA – TDN-444 and LandsD has advised you to delete such government land from Site A. In this connection, please remove the relevant government land from your proposal and re-plan the traffic facilities. In addition, we consider that proper turnaround facilities shall be provided at the end of the existing unnamed road extending from Tin Ping Road in the event that vehicles reaching the site has to leave due to unavailability of parking spaces. Else, please confirm that you would allow these vehicles to make a turn within your site free of charge.	Please refer to point no. 1 of the responses of the Applicant shown on the attachment.	All vehicles shall be allowed to enter the site d within the business hour for loading and unloading within a duration not more than 15 minutes, exceeding of which, these vehicles will be penalized by expensive parking fee.

- The existing traffic flow along the unnamed road adjoining Woodland Crest and the subject sites should be surveyed and its capacities under the existing condition and the future design year should be assessed. - It is observed that there is an existing access road to the nearby barbecue site but not shown in your drawing. Please clarify. - On Figure 2-2, Layout Plan of Site B, it is observed that the proposed access road for temporary vehicle parking area to Site B is not a proper run-in/out. Please provide details arrangement for converting the pavement / road into a proper run-in/out with the concern on both traffic and pedestrian safety. It is also noted that the piece of land is a Government Land. Consent from relevant department should be sought. - We observed that there was illegal parking at the unnamed road adjoining the application sites. It is anticipated that the illegal parking on footpath would block pedestrian access to the subject site and endanger road users. Please assess the implication of illegal parking to the access of the application sites in traffic engineering and pedestrian safety aspect. - Proper turn-around facilities shall be provided for vehicles accessing to the unnamed road for dropping off/picking up passengers to the subject site. In this connection, please clarify the extent of the internal road of the subject site to be opened for the public 24 hour a day. - Full assessment on the capacity of the footpath along the unnamed access	The VC ratio of the unnamed road is shown in the revised traffic review. The existing access road to the nearby barbecue site is enclosed within the boundary of Site A. Currently, the run-in/out is connecting Site B with the named road. It is also observed that there are occasionally parked vehicles on the sides but the run-in/out is still accessible to Site B. Temporary pavement and proper drop kerb will be provided and consent from Lands Department and Home Affairs Department would be sought once the proposed parking arrangement is technically accepted. Bollard will be proposed along the proposed footpath to avoid illegal parking on footpath. Loading and unloading area will be provided at the subject site. The internal road will be opened for public throughout the business hour {07:00 to 23:00 from Monday to Sunday} of the subject site. LOS assessment results of the footpath of the unnamed road had been provided on	Where? Please indicate the reference clearly. Our comments on the 2nd bullet above are applicable. Please provide design for the pavement and drop kerb to the entrance to Site B. Consents from Lands D and HAD should be included in the report. Design of bollards, such as dimension, spacing and clearance with carriageway, etc, should be provided for further consideration. We consider that proper turnaround facilities shall be provided at the end of the existing unnamed road extending from Tin Ping Road as stated above.	The VC ratio of the unnamed road was shown on page 7 of the revised traffic review. Please refer to point no. 1 of the responses of the Applicant shown on the attachment. Design of the pavement and drop kerb will be provided after the approval of the application. Due to the limit space of the footpath available, 50mm diameter steel bollard at 2m centre to centre spacing will be provided along the proposed footpath. 0.3m clearance from the carriageway will be maintained for the proposed bollard. All vehicles shall be allowed to enter the site d within the business hour for loading and unloading within a duration not more than 15 minutes, exceeding of which, these vehicles will be penalized by expensive parking fee. Therefore, turnaround of the vehicle according to the subject site can be made within the site during business hour. - It is noted that you have assumed that all 60% visitor taking PT - The most convenience PT for accessing the subject site was the
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	road is required. In particular, please check if there is any illegal parking along the unnamed road which may obstruct the pedestrian paths.	the revised traffic review. Bollard will be erected along the footpath to avoid illegal parking to obstruct pedestrian path.	would travel with GMB. Please substantiate. - Visitors travel by bus to the site would still use the pedestrian pavement to reach the subject application site. Hence, bus passengers shall also be included in the assessment of the footpath LOS. - Furthermore, please show whether provision of bollards have been considered in the width of footpath in the calculation of LOS. The calculation provided at the end of the first paragraph of section 9 is difficult to follow, please present the calculation in a more readable manner. Similar approach should be adopted for the sensitivity test in Appendix B. - According to the calculations given in section 9, it is assumed that all 10% of the visitors coming from northern side of Ng Tung River would reach the site on foot. Please provide justification.	new GMB route. In view of the substantial demand of the GMB service after opening of the subject site, the schedule of the new GMB route was proposed to increase from 30 mins to 5 min headway which can be served for about 15% of the visitor. - The split percentage of visitor of GMB was revised to 15% and the calculation of the LOS had been revised accordingly. - The clear width of the footpath with the provision of bollard had been considered in the calculation of the LOS. - Sensitivity test of 0% of visitor coming from north of Ng Tung River had been shown in Appendix C.
Review on "Pedestrian safety" has not yet been addressed. Please provide relevant information.	Bollard will be provided along the footpath to avoid illegal parking to obstruct pedestrian path. Proper drop kerb will be proposed at the run in/out to guide the pedestrian and alert the motorist.	Noted	Noted	Noted
The section of the unnamed access road between its junction with Tin Ping Road and the subject sites is not managed by TD. All proposed modification of this unnamed access	Noted. Under the land lease conditions, the unnamed road is granted to the owner of Fanling Sheung Shui Town Lot No. 36 with the condition that the unnamed road has to be kept open, uphold and maintain	Regarding the proposed improvement works on unnamed road, please seek consents from relevant department and parties on the proposed improvement works on the unnamed road. The		Please refer to point no. 11 of the responses of the Applicant shown on the attachment.

	road shall be agreed by the departments responsible for its management and maintenance.	at all times throughout the terms granted a free and uninterrupted pedestrian and vehicular right of way for the public. A copy of the land grant is attached for easy reference.	consents should be included in the report.	
2)	R-to-C Item 3 – As mentioned in previous comments that reference should be provided to justify the proposed modal split of transportation of visitors. Furthermore, the application site is not close to public transport facilities. We consider that more visitors would travel to the site by taxi or private cars.	Based on the distance between the MTR – Sheung Shui Station and the Site, it is within 1km (15 mins) walking distance. Besides, other visitors will come from nearby residential development. Therefore, 70% (including the visitor by MTR) of the anticipated visitors is reasonably assumed to be pedestrian traffic. For visitors from North District, it is assumed that they will come by other means of public transport (excluding MTR) and/or private cars. The split of the remaining 30% of the anticipated visitors will be reasonably assumed to be 2/3 and 1/3 for PT (excluding MTR) and private car respectively. When the new GMB route between Sheung Shui and Wa Shan Tsuen is in service, large proportion of the visitor from Sheung Shui will use the new GMB service to access the subject site. The assumed percentage of the overall proportion of the visitor using public transport will be increased from 20% to 60% and the percentage of visitor by walking will be decreased from 70% to 30%. For retail market, no provision for car park is required. Without any public parking provisions at the Site, the attraction to visitors with car will be very minimal. With the addition of non-stopping restriction visitors most likely choose different modes of public transport.	With reference to HKPSG, the parking requirements between “Retail” and “Retail Markets” are very different. It is understood that you consider that the proposed business in the application site shall be regarded as “Retail Markets”. In this connection, please seek agreement from PlanD that the proposed business shall be regarded as “Retail Markets”. With PlanD’s confirmation, the parking provision shall generally be provided	Please refer to point no. 2 of the responses of the Applicant shown on the attachment.

			according to the attached HKPSG. Yet, we reserve our comment on this subject upon receipt of your next submission.  sum_ch8_en.pdf	
3)	R-to-C item 4 – The responses that only 5,400 m2 would be used for retail purpose and other open air area would not be used for retail purpose should be confirmed and stated in the revised report with a plan showing the location of the 5,400 m2 GFA for retail purpose with dimension.	The detail breakdown of the GFA with dimension is shown Appendix B of the revised traffic review.	Noted.	Noted.
4)	R-to-C Item 5 – Please assess the number of parking spaces required for the proposed application according to Section 3 of Table 11 in Chapter 8 of HKPSG (retail use for Zone 2 and 3 areas).	As the proposed stall is very small in size (2m x 3m) aiming at low end hawker type retail market, similar to retail street markets like Tung Choi Street or Stanley. It is considered very different from typical retail use such as shopping mall. Moreover, the development is on a temporary basis for 3 years only and it will not establish long term customer relationship. Therefore, we consider the parking requirements for retail market in Table 11 in Chapter 8 of HKPSG should be adopted.	Our comments on Item 2 are applicable.	Please refer to point no. 2 of the responses of the Applicant shown on the attachment.
5)	R-to-C Item 6 – No responses was found on the R-to-C. Please explain.	All parking facilities provided in this Project will be for ancillary use only.	Please advise if the impact of reducing the supply of existing 110 parking spaces in Site A/B as public car park would be absorbed by the nearby carparks.	Please refer to point no. 3 of the responses of the Applicant shown on the attachment.
6)	R-to-C Item 7 – Please explain why apart from the four junctions listed in item 8 above are not included in the AOI.	Based on the assumption that the proposed development will mainly attract the local residents, the increase in vehicular traffic via other junctions will be low; particularly for the vehicles coming from other districts. As traffic from other districts will route via Fanling Highway and So Kwun Po Road, the performance at this roundabout has also been included in the revised traffic review.	Noted	Noted.

7)	R-to-C Item 9 – No responses was found on the R-to-C. Please explain.	The junctions along the main route of the vehicular traffic to and from the high speed road will be assessed in the revised traffic review.	Noted	Noted.
8)	R-to-C Item 15 – Please demonstrate that the proposed loading/unloading bays within the internal roads are designed in accordance with the relevant standard. A preliminary design drawing with key dimension shall be provided to demonstrate that the proposed L/UL facilities are technical feasible. The swept paths provided are unclear. Please re-draw with appropriate scale.	Separate drawings showing the design of each loading and unloading bay with swept path had been shown in the Appendix A of the revised traffic review.	The area of the proposed L/U bays is in conflict with Government Land Allocation no. GLA –TDN-444 and LandsD has advised to delete such government land from Site A. So, please review the loading/unloading arrangement.	Please refer to point no. 1 of the responses of the Applicant shown on the attachment.
9)	R-to-C Item 17 – • As stated in previous comments, quantitative analysis should be provided for the assessment on the impact of nearby footpaths. Please provide the relevant information in the assessment.	The current pedestrian flow of the unnamed road is low and the anticipated pedestrian traffic will dominate the assessment. LOS were presented.	As mentioned in previous comments, quantitative assessment is required to ensure the LOS is acceptable.	The current pedestrian flow of the unnamed road was low and the peak hour of the visitor was not overlapped with the peak hour of the existing pedestrian flow. The estimation of the LOS for the peak hour of the visitor will dominate the assessment. Further assessment will be conducted once the special arrangement of COVID-19 is finished to verify the assumptions.
	• It is anticipated that cross-boundary customers may access to the subject site. Please assess its number, access mode and the associated capacity check. In particular, what are the measures to support this type of customers? Where is the nearby cross-boundary bus stop? Will the packing process of cross-boundary customers cause nuisance to the public on the roads?	The proposed retail market development is not aiming at replacing the existing retailing business in Sheung Shui, but to supplement or rehabilitate those retailing livelihood sectors. It is considered that the cross boundary customers will not be attracted due to the convenience of the shops near MTR for easy access of cross boundary commuting. Therefore, it is not anticipated that the proposed Site will attract a lot of such customers. In case customers need packing area, there is also an area that would be designated for packing as indicated in the plan.	Please also seek PlanD's agreement of your response.	Please refer to point no. 2 of the responses of the Applicant shown on the attachment.
10)	R-to-C Item 18 – No justification was provided on the assumption that 10% of the visitor would use the northern part of Ng Tung River to access to the	There are villagers coming from the north of the Ng Tung River and it is anticipated that they will visit such retail market, which is the closest to them. This is the	The “10%” assumption shall be substantiated.	Sensitivity test of 0% visitor from the north of Ng Tung River had been shown on Appendix C.

	application site. This may underestimate the portion of pedestrians accessing from the southern part of Ng Tung River.	reason for assuming 10%, which is considered reasonable. However, for sensitive test, assessment based on 100% visitors will come from south of Ng Tung River is included.		
11)	R-to-C Item 20 – The response “noted” to these items are inappropriate. Please provide the requested information.	The concerned road section of the unnamed road was managed and maintenance by the owner of Fanling Sheung Shui Town Lot No. 36. The part print of the New Grant No. 12580 governing the site was enclosed in Appendix A for your information.	Apart from the section under Sheung Shui Town Lot no. 36, the traffic review failed to identify the management and maintenance parties of the remaining parts of the unnamed road. Please identify these parties and seek their agreement to any road improvement works proposed on this part of the road.	Please refer to point no. 11 of the responses of the Applicant shown on the attachment.
12)	R-to-C Item 21 – The response “noted” to these items are inappropriate. Please provide the requested information.	Noted. The proposed improvement works will be carried out by the applicant at his own cost and consent from relevant parties would be sought once the proposed improvement works is technically accepted.	Our comments on the 2 nd bullet of Item 2 above are applicable.	Please refer to point no. 11 of the responses of the Applicant shown on the attachment.
13)	R-to-C Item 22 – Please provide a scaled drawing showing the dimension of the proposed internal roads within the site and demonstrate that the road layout is designed in accordance with the relevant standard. It appears excessively large junctions are provided along the internal roads. How the motorists can differentiate the function and role of each loading/unloading bays? The junction design also appears inadequate and sub-standard.	Scaled drawing is provided. Road markings will be provided to guide the motorists along the internal road.	The layby arrangement is sub-standard because excessive pedestrian crossing facilities will be required within a short distance.	Noted. The layout had been revised to provide pedestrian crossing across the layby.
14)	R-to-C Item 23 –			
	Para. 1 of the report mentioned that visitors shall reach the site mainly by walking and public transport which is contradictory to the responses in R-to-C Item 23. Please clarify and include a section in the report to assess quantitatively that the impact to the public transport service in the vicinity would be tolerable.	Under the special office and school arrangement of COVID-19, survey could not be conducted to reflect the normal utilization of public transport. Only qualitative assessment could be conducted at this stage. Further assessment will be conducted once the special arrangement of COVID-19 is finished to verify the assumptions.		

	How many customers will access from train stations to the subject sites? By what mode? Any capacity check? Any demand for additional bus-stops? Are the associated footpaths and crossings wide enough?	The target customer of the subject site is the local resident. It is assumed that about 20% of the customers will access from train station. Based on the distance between the MTR – Sheung Shui Station and the Site, it is within 1km (15 mins) walking distance. Also, the nearest bus and GMB stop is 500m away from the subject site so the intention of the visitor by MTR to transit to another public transport to the subject site will be low. The customers from train station will mainly access the subject site by walking. As mentioned above, further assessment will be conducted once the special arrangement of COVID-19 is finished to assess for the associated footpaths, crossings and demand on bus service.	Quantitative assessment for the LOS of the affected footpaths should be conducted to evaluate the impacts caused by the proposed development.	The survey of the pedestrian flow and the demand of public transport will be distorted by the current situation of COVID-19, further assessment will be conducted once the special arrangement of COVID-19 is finished to assess for the associated footpaths, crossings and demand on bus service.
	<u>Comments on the revised Traffic Review submitted on 28 December 2020</u>			
15)	Para. 1 – Please provide justification and explanation on the relationship between the reduction of car parking facilities in the proposed development and the benefits to the inherent highway infrastructure. According to our past experiences, reducing car parking spaces would only have a knock-on effect to the illegal parking problem in the vicinity making it more serious.	Reduction of the car parking facilities will reduce the intention of the customers visiting the subject site by private car and the overall traffic flow generated by the subject site will be reduced. It will minimize the impact to the road network by the subject site. In order to avoid the illegal parking problem arisen from the reduction of the parking facilities, bollard will be proposed along the footpath of the unnamed road and no stopping restriction will be imposed along the road section of the unnamed road.	According to our experience, there are no direct relationship between the provision of parking spaces and the intention of the customer visiting the subject site by private car and the overall traffic flow generated. Please revise relevant sections in the report.	Noted. The relevant text of the revised traffic review on page 1 had been removed.
16)	Para. 5.1 – For visitor forecast, is there any similar facility in Hong Kong? If yes, please conduct survey on their trip generation and attraction for reference.	There is no such development model applicable for assessing visitor capacity. Also, there is no similar facility in Hong Kong. The visitor forecast was based on the requirements on means of escape of the Code of Practice for Fire Safety 2011 by Building Department.	Please provide more justification on the assessment of visitor forecast. The Code of Practice for Fire Safety 2011 is not designed for this purpose.	According to the current situation of COVID-19, the survey of similar facility in Hong Kong will be distorted. The assumption of the occupant capacity was used as an alternative method for assessing the visitor forecast. Further assessment will be conducted once the special arrangement of COVID-19 is finished to verify the assumptions.

17)	Para. 5.2 – please provide justification for the proposed modal split of transportation to the site. What is meant by “Others” in the category of visitor? How about cross boundary customers?	Based on the distance between the MTR – Sheung Shui Station and the Site, it is within 1km (15 mins) walking distance. Besides, other visitors will come from nearby residential development. Therefore, 70% (including visitor by MTR) of the anticipated visitors is reasonably assumed to be pedestrian traffic. For visitors from North District, it is assumed that they will come by other means of public transport (excluding MTR) and/or private cars. The split of the remaining 30% of the anticipated visitors will be reasonably assumed to be 2/3 and 1/3 for PT (excluding MTR) and private car respectively. When the new GMB route between Sheung Shui and Wa Shan Tsuen is in service, large proportion of the visitor from Sheung Shui will use the new GMB service to access the subject site. The assumed percentage of the overall proportion of the visitor using public transport will be increased from 20% to 60% and the percentage of visitor by walking will be decreased from 70% to 30%.	As mentioned in previous comments, justification should be provided to support the split assumption. Since the modal split is fundamental to the traffic impact assessment, the accuracy of the modal split is vitally important for the traffic and pedestrian flow forecast.	The assumption of the modal split was based on the location of the subject site, the intended nature of the business of the applicant and the accessibility of the public transport. Additional sensitivity test for different percentage of modal split can be provided if required.
18)	Para. 6 – please provide justification to “The Management decides no car parking facility will be reserved for visitor.” This is unacceptable as inadequate provision of the necessary parking spaces would induce illegal parking around the site?	The text had been amended. The available car parking spaces within the subject site will be opened for visitor.		
19)	Para. 7.1 – Please clarify the location of Junction D, “/o Lok Shan Road/Ma Tau Wai Road” is a wrong name.	There is typo error. The text had been amended in the revised traffic review.		
20)	On Figure 2-1, Layout Plan of Site A, a road marked as EVA is connecting the entrance to the site to the market halls. Please advise whether the EVA will serve as internal vehicular access road or not. Please confirm that this access road-cum-EVA shall be designed and constructed to	The EVA will not serve as internal vehicular access. It will be opened for emergency vehicle only. Temporary barrier such as bollard will be erected to delineate the EVA from the vehicular access road.		

	meet the requirements of both an access road and EVA. TD will check its design during the GBP stage.			
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Comments received:		Responses:	TD's Further Comments	
2.	From: AC for T/NT (Transport Operation Team, Date: 15 January 2021)			
4	Existing Traffic Environment			
4.4	Public Transport - Please provide a map to show the scope of "within 500m". - Please provide the walking minutes between Sheung Shui Station and Site A.	- The 500m radius circle from the subject site had been show on revised Figure 1 in Appendix. - Sheung Shui Station is about 1km from Site A which is about 15 minutes walking time.		
5	The Visitor Forecast and the Mode of Access of Visitors		5. The Visitor Forecast and the Mode of Access of Visitors	
5.1	Visitor Forecast This part mentions about visitor forecast. Please provide the employees forecast as well (which is about 2,000 job opportunities). Please also state their trip origin.	About 2,000 job opportunities will include all daily staff of subject site and the other job opportunities of the supporting companies such as goods supplier, logistics, cleaning works...etc. For daily operation of the subject site, there are around 350 staff for all of the stalls (1 staff per each stall due to the small size of the stall). Also, below 100 staffs will be employed for daily management and maintenance of the subject site. Therefore, the total daily staffs of the subject site will be about 450. The target business of the subject site is local retail market mainly serving for the local resident and great local job opportunity. There is no parking space available for the staff and the staff will be travelled by public	5.1 Visitor Forecast - This part mentioned visitor of Site A during peak time is 2,830. Please specify the meaning of peak time. Please also advise if there is variation of peak time and no. of visitors on weekends and public holidays. - Each visitor is expected to stay in the site for 2 hours. Please advise the rationale behind. - For "every hour there shall be 1,415 visitors simultaneously leaving and entering Site A", please elaborate the assumption and calculation in details.	- The peak time mentioned in the traffic review was the peak hour time with maximum number of visitor to the subject site within the whole week. 2 hour was the average time for each visitor to stay in the site. Based on the scale and nature of the subject site, we considered that 2 hour was a reasonable time to be assumed. - The detail calculation of the number of visitor for peak hour was shown on Section 5.1.

	Only Site A is mentioned. Please provide the assessment of Site B. Please take into account the introduction of new GMB route (華山村線)	transport and walking. After the new GMB route is in service, large proportion of the staff will be travelled by the GMB service and it is estimated that 80% of the staff will take public transport mainly from Sheung Shui and Fanling. The remaining 20% will be nearby local residents. - There are 20 number of parking spaces at Site B which is provided as a buffer for contingency during operation of Site A and it is not opened for public use. - The modal split of the mode of transport had been revised after take into account of the new GMB route (華山村線). The assumed percentage of the visitor using public transport had been increased from 20% to 60%.		
5.2	Mode of Transportation to Site - Please explain the rationale of split percentage - Taking into account the aforesaid new GMB route, please reconsider the split percentage of public transport - Given more than one public transport mode, please provide breakdown of the percentage for each mode	- Please refer to the responses to point 2) above. - The modal split of the mode of transport had been revised after take into account of the new GMB route (華山村線). The assumed percentage of the visitor using public transport had been increased from 20% to 60%. 60% of the visitor will take public transport and 40% of the visitor including the visitor taking MTR will take the new GMB route and 20% of the visitor will take the bus.	5.2 Mode of Transportation to Site - The new proposed GMB route plying between Wa Shan Tsuen and Shueng Shui is of 30 minutes' headway daily. The service is not able to cater for the passenger demand of the visitors and that of the working staff. - Taking into account the aforesaid GMB service details, please reconsider the split percentage for "mode of transportation". - Taking into account the aforesaid GMB service details, please reconsider the split percentage for public transport.	- The most convenience PT for accessing the subject site was the new GMB route. In view of the substantial demand of the GMB service after opening of the subject site, the schedule of the new GMB route was proposed to increase to 5 min headway which can be served for about 15% of the visitor. - The split of the percentage of the GMB will be decreased from 40% to 15%. - After reviewing the split percentage of aforesaid GMB service, the split percentage of the public transport was revised to 15% GMB and 25% for other public transport.

Responses of the Applicant

- (1) The application was statutorily recorded under the Town Planning Ordinance in June 2020 while the temporary allocation of Land GLA-TDN-4444 was applied by CEDD only in late September 2020. The applicant shall apply resumption of the lot in accordance with the procedure and guideline of the Lands Department similar to other land allocation/application after the TPB permission. Therefore, the lot is only a statutory procedural issue and does not involve the technical feasibility of the application.
- (2) Advice and confirmation from Planning Department should not be required in this application. The applicant intends in the planning statement to provide about 350 number 2m x 3m stalls for a retail market designed for low end retailing business mainly for those local people resided in a circle of radius 500m centered at the subject site. Owing to the short duration of the development, these stalls (not shops) shall be located inside only simple shelters. Based on item 3 of section 3 in Table 11 of Chapter 8 of HKSPG, the use complies with the definition of retail market and thus parking requirement is generally not required as stated. The planning intention of the applicant is very clear and self explanatory and may not require the input of the Planning Department
- (3) The 110 parking spaces in Site A/B is not a properly registered car park approved by the HKSAR Government. These car parking spaces are commercial consideration of the lot owner/occupant with not statutory obligation under the lease or other official document. The provision of adequate car parking space in the district or the measure to control those illegal parking in the district should be the responsibility of the relevant authority of the HKSAR Government.
- (11) In Clause 4 & 5 of the land grant (New Land Grant 12580) of the adjacent lot had already clearly outlined the lot owner the responsibility of providing and maintaining adequate traffic measure for the adjoining development. Therefore, the identifying of the management and maintenance party may not be required. The enforcing of the liability according to the New Land Grant does not influence the technical feasibility of the application.

Mr. Kong Chee Cheung
Land Supreme Surveyors Ltd.

Dear Mr. Kong,

Date : 18-Mar-2021

Re: Town Planning Application Number A/FLN/22, Nursery Shelter in Agricultural
Land at Lot 524 RP, 525, 526, 527RP...etc in D.D. 51,

I refer to your recent request of providing professional opinion regarding the nature of the captioned nursery shelter.

As informed by the applicant of the captioned Town Planning Application, the shelter shall be constructed by planted post (post with no foundation inserted onto the ground for a certain depth for stability) and flexible, removable transparent polyethylene sheets. From the structural point of view, the shelter shall have no sound roof/ cover and fixed configuration and therefore, should not be considered as structure. The polyethylene sheets only provide a protective measure to the vegetation underneath from those birds, insects, inclement weather,...etc.. Therefore, basically, the shelter may be treated as only an agricultural furniture with no. Gross Floor Area issue and may not be under the jurisdiction of the Buildings Ordinance.

Please feel free to contact me should you have any issue wish my further clarification.

Yours faithfully,



Wong Him Sun

Authorized Person/ Registered Structural Engineer

Summary of Applied Uses (as at 22 March 2021)

No.	Erection	Designation	Dimensions of Erection Width x Length x Height - m (about)	No.	Gross Floor Area - m ² (about)	Area Falling within Zoned Uses - m ² (about)				Planning Application		Remarks
						G/I/C	O	Road	AGR	Applied Use	Gross Floor Area - m ² (about)	
Application Site A												
1	Outlet Hall No.1	H1	36m x 36m x 4.5m	1	1,296.0	1,291.58		4.42		Shop & Services and Place of Entertainment	1,296.00	For outlet
2	Outlet Hall No.2	H2	27m x 57.5m x 4.5m	1	1,552.5	400.50	257.30	894.70		Shop & Services and Place of Entertainment	1,552.50	For outlet
3	Outlet Hall No.3	H3	35m x 30m x 4.5m	1	1,050.0	763.30	286.70			Shop & Services and Place of Entertainment	1,050.00	For outlet
4	Outlet Hall No.4	H4	35m x 30m x 4.5m	1	1,050.0	88.40	226.00	735.60		Shop & Services and Place of Entertainment	1,050.00	For outlet
5	Shelter	S1	6m x 12m x 4.5m	1	72.0		72.00					Ancillary Seating Area
6	Sitting-out Area (636.5 m ² (about) in Area)		N/A				(636.50) Please see Note 1 below					In the 1 st Submission the Applied Use for this area was "Place of Recreation, Sports or Culture (Barbecue Site)" and the area is 636.50 m ² (about). The Traffic Consultant advised to amend this use to Sitting-out Area and this use is permissible under Column 1 of OZP No.

Appendix C

																		S/FLN/2.
7	Tent	TT1						44.7	36.60	8.10				Place of Entertainment		44.7		Retractable
8	Yurt	TT2						78.5		78.50				Place of Entertainment		78.5		Retractable
9	Marquee	M1						96.0	32.40				63.60					Ancillary Seating Area, retractable/movable
10	Toilet	T1 - T7						10.1	10.10									Ancillary use, temporary/movable
11	Toilet	T8 - T13						8.6	3.80				4.80					Ancillary use, temporary/movable
12	Toilet	T14 - T19						8.6		8.60								Ancillary use, temporary/movable
13	Toilet	T20 - T24						7.2		7.20								Ancillary use, temporary/movable
14	Container	C1 - C5						90.0	90.00									Ancillary storage, movable
15	Container	C6 - C7						36.0	15.00	21.00				Shop & Services		36.00		movable
16	Container	C8 - C9						36.0	36.00									Ancillary office, movable
17	Container	C10						36.0		36.00				Shop & Services		36.00		movable
	Sub-total							5,472.21	2,731.68	1,001.4			1,703.12			5,143.7		
18	Sitting-out Area, Park, Access Road, EVA, Loading and Unloading Area, Lawn for Landscaping etc.																	Ancillary uses/uses permissible under Column 1 of OZP No. S/FLN/2
	Total Area of Application Site A							20,839.34										

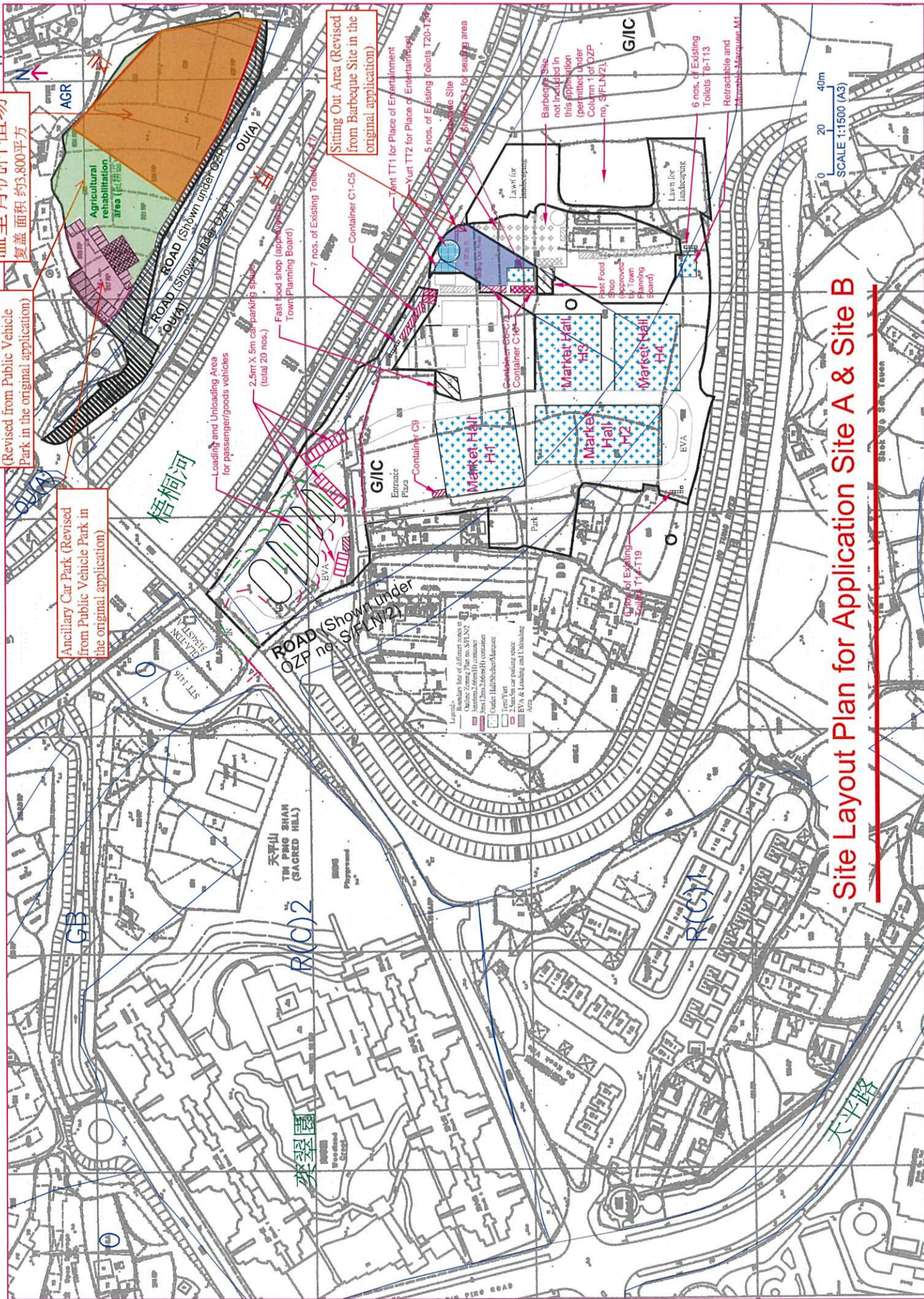
Application Site B											
19a	Agricultural Rehabilitation (6,226.9 m ² (about) in area)	N/A						(299.19) Please see Note 1	(5,927.71) Please see Note 1 below		Public Vehicle Park (excluding container vehicle) was an applied use in the 1 st Submission. Owing to the

	Please see Note 2 below						below			
19b	Ancillary Car Park (935.59 m ² (about) in area)	N/A					(935.59) Please see Note 1 below			comment made by DAFC and the then DPO/FS & YLE, the area is now changed to Agricultural Rehabilitation and access road being ancillary use.
20	Toilet	T25 - T26	1.2m x 1.2m x 2.2m	2	2.9		2.9			A provision of 20 car parks as ancillary use for the use by staff members working for Agricultural Rehabilitation and at Site A.
21	Caretaker's Kiosk	K1	2.0m x 2.0m x 2.2m	1	4.00		4			Ancillary use, temporary/movable
	Sub-total				6.9		6.9			Ancillary use, temporary/movable
22	Agricultural Rehabilitation, Ancillary Car Park and Access Road on Government Land (1,025.55 m ² (about) in area)				8,188.04					Ancillary uses/uses permissible under Column 1 of applicable OZPs
	Total Area of Application Site B				8,194.94					

Notes:-

Note 1: The Figure in *italic* in bracket is for information.

Note 2 As the shelter will be constructed by planted post (with no foundation) and covered by flexible, removable and transparent polyethylene sheet, the shelter may not be considered as structure and accordingly, will have no GFA issue.



Site Layout Plan for Application Site A & Site B

Land Supreme Surveyors Ltd.
滙盈測量師行有限公司

Appendix I f
香港灣仔

Tel:
Fax:

電話:
傳真:

Our Ref.: (50) in LSS/N/2272
Your Ref.: TPB/A/FLN/22

By Email Only

28 April 2021

The Secretary
Town Planning Board
15/F North Point Government Offices
333 Java Road
North Point
Hong Kong

Dear Sir/Madam,

Section 16 Planning Application No. A/FLN/22
Temporary Shop and Services, and Place of Entertainment
for a Period of 3 Years
at Lots Nos. 517 RP, 518 RP, 521 RP, 522, 523 RP, 524 RP, 525, 526,
527 RP, 532 RP (Portion), 533 RP (Portion), 534 RP (Portion),
539 (Portion), 540 (Portion), 541 (Portion), 542 (Portion), 543 (Portion),
544, 545, 547 (Portion), 548 (Portion), 551 (Portion), 552 and 553,
and Adjoining Government Land in D.D. 51
Fu Tei Au and Shek Wu San Tsuen, Sheung Shui, North, New Territories

We refer to the subject application, and attach our further responses to departmental comments received for your further action on the above Application. The Applicant's traffic consultant indicated that they could only make responses to AC for T/NT's latest comments received on 16 April 2021 after a meeting is held with TD. The request for such a meeting has been made with DPO/FS & YLE.

Should you require further information or clarifications, please contact the undersigned on

Thank you.

Yours faithfully,
For and on behalf of
Land Supreme Surveyors Ltd.

Kong Chee Cheung

Kong Chee Cheung
BSc(Econ)(Hons) LLB(Hons)
MRICS MHKIS RPS(GP)
Director

CCK/jc

Encls.

Responses to Departmental Comments received for Planning Application No. A/FLN/22

Comments received:		Responses:
1.	From Chief Town Planner/Urban Design and Landscape, Planning Department (Contact Person: Ms Katherine NG) Tel: 2231 4844) (a) As indicated in the FI, Site B, which was originally proposed as an extensive vehicle parking area, is now amended as agricultural rehabilitation area with about 3,800 sq m nursery shelter and a smaller ancillary car park. The revised development of Site B is considered not incompatible with the surrounding environment, and significant adverse landscape impact arising from the development is not anticipated. As such, we have <u>no objection</u> to the proposed development at Site B from landscape planning point of view.	Noted with thanks.
2.	From: Civil Engineering and Development Department (a) CEDD's Comment of 24 July 2020 to DPO/FS & YLE and relayed to the Applicant on 20 April 2021 is as follows:- We have no comment on the application from KTN/FLN NDA project interface point of view. (b) CEDD's further comments of 28 January 2021 and relayed to the Applicant on 20 April 2021 are as follows:- Part of Site A falls within an area temporarily allocated to CEDD from 7.1.2021 to 30.6.2024 under Simplified Temporary Land Allocation (STLA) GLA-TDN 4444 as works area for Fanling Bypass Eastern Section under Contract No. ND/2019/04. The said STLA site, which mainly lies within the boundary of the FLN NDA Remaining Phase project, would be cleared and handed over to CEDD for the implementation of FLN NDA in mid-2024.	Noted. Please see the Note and Response to Paragraph (d) of DLO/N's comments below. Please also note that the subject application is a temporary one for 3 years only.
3.	From: District Planning Office/Fanling, Sheung Shui and Yuen Long East, Planning Department (Contact Person: Mr Jeffrey P.K. Wong Tel: 3168 4044) <u>Revised site layout plan of Sites A and B</u> (a) The legend for Container C8 is missing. Please clarify/rectify. (b) Please provide the legend for ancillary parking spaces at Site B, indicating the breakdown for number of parking spaces and type(s) of vehicles therein; (c) There will be four loading/unloading bays at Site A. Please indicate what type(s) of vehicles will use which loading/unloading bay(s). You may make reference to the presentation of your original submission dated 7.7.2020.	The legend is re-added as it was mistakenly removed by the draftsman. Please see the attached Plan at Appendix A1. The legend is added. Please see the attached Plan at Appendix A2. Please see the attached Plan at Appendix A1.

(d)	<u>Planning Statement and Traffic Review</u> From the planning statement in the original submission dated 7.7.2020 (executive summary and para. 7.2 refer), it mentioned that the proposed development can satisfy the demand of both local people and tourists mainly from mainland China; however, from the traffic review submitted on 22.3.2021, it mentioned that the proposed development is a low-end retail market with its customer spectrum mainly focusing on residents in Fanling North District and the surrounding vicinity. Please clarify.	The original intention of the application is to allow minimal percentage of tourists from mainland China to visit the facilities at Application Site A. Given the current COVID-19 pandemic, the whole provision will revert to local people only.
4. (a)	From: Agriculture, Fisheries and Conservation Department (Contact Person: Ms Rachel HUI, Tel: 2150 7040) <u>Comments received on 29 March 2021</u> According to site inspection in August 2020, part of Site B was under active cultivation. Our previous comments dated 17.9.2020 are still valid. Agricultural use is always permitted in the "AGR" zone. AFCD will not support any non-agricultural development or related proposal in Site B, which has potential for agricultural rehabilitation in the "AGR" zone.	Having received comments from AFCD of 25 August 2020, the Applicant requested for a meeting with DAFC but was declined. Eventually, Ms Winnie Lau, the then District Planning Officer/FS & YLE, was successful to arrange a meeting with Ms Rachel Hui of AFCD on 3 September 2020. After the meeting with Ms Winnie Lau, the Applicant decided to follow Ms Lau's advice to carry out agricultural rehabilitation at Site B. 20 car parks will be provided at Site B as ancillary car-parking facility only for working staff at Site B and Site A. Please see the Layout Plan at Appendix A2 and the Section Plan for the nursery shelter at Appendix A3. An Information Paper submitted to the Development Panel of the Legislative Council is also attached at Appendix C1. According to this Information Paper, a brownfield site at Wa Shan, Fu Tei Au is identified for development. The exact site boundaries are not demarcated on the plan attached to the Paper. Based on the wordings of the Information Paper and the site configuration, it is guessed that Site B is more or less the brownfield site mentioned in the Paper subject to the fine tuning of the site boundaries. The site is shown edged pink on the attached plan at Appendix C2 and this plan has been referred to the DPO/Shatin, Tai Po and North and Civil Engineering and Development Department for verification whether it is mentioned as the brownfield site in the Information Paper. No confirmation has been received from them. This Paper indicates that Site B possibly with adjoining land can be used for development. The Applicant also pointed out at the meeting held on 3 September 2020 that lack of sufficient natural water from watercourse for irrigation is a material

(b)	Comments received on 1 April 2021. AFCD would maintain their previous comments on the application dated 17.9.2020, for the reasons that your further information (FI) submission dated 22.3.2021 is basically similar to the revised proposals submitted on 15.9.2020 and 2.3.2021.	factor to agricultural activity at Site B. In addition, Site B is bounded by existing squatters mainly for living and industrial operations on the east, west and north sides while the south side is Ng Tung River. It is considered that due to the close proximity of Site B to the Sheung Shui MTR Station and the urbanisation in the area, Site B is suitable for development but the highest and best use of Site B is subject to investigation and decision. Please see Responses above.
5.	From: New Development Area Section, Lands Department (Contact Person: Cathy Li) Tel: 3547 0703) CES/NDA's comment dated 7 August 2020 was passed to the Applicant on 23 March 2021 upon request as follows:- No Comment.	Noted.
6.	From: District Lands Office/North, Lands Department (Current Contact Person: Ms Lyn LAM) Tel: 2675 1546)	<u>Note - Events after Submission of Planning Application to the Town Planning Board</u> The Applicant side contacted DPO/FS & YLE for the comments from District Lands Office/North around July 2020 to September 2020 and was informed that DLO/N's comments were "normal" and were not passed to the Applicant. These comments were dated 2 September 2020 and were not passed to the Applicant side until 26 January 2021 upon request. Comments dated 25 January 2021 were passed to the Applicant on 26 January 2021 as shown from Paragraphs (a) to (j) below. The 2 sets of comments dated 2 September 2020 and 25 January 2021 are compared. It is noted that the major differences relate to Paragraphs (d) and (e). The subject planning application includes a parcel

of Government land fronting onto an unnamed road which extends north-east from Lung Ma Road across Tin Ping Road. From Tin Ping Road to Ng Tung River this section of road is unnamed. This parcel of Government land was a major portion of the site allocated to CEDD with No. GLA-TDN 3134 (STLA) in connection with the laying of a public sewer for the development at Queen's Hill Road at the time of submitting this application to the Town Planning Board. The new No. is GLA-TDN 44444 with an area of 2,988 m² (about). However, checking with CEDD indicated that CEDD would return the site to Lands Department after the completion of the works around end December 2020. It is understood that no Government office applied for this site at the time when the application was submitted in June 2020.

Around mid-December 2020 there was news that a Government office applied for this site so request was made with DLO/N to arrange a meeting to ascertain the details of the application etc. The Applicant objected to this allocation right from the beginning. No meeting was arranged by Lands Department. In parallel, the Chairman and the Vice-Chairman of Sheung Shui Rural Committee submitted a letter dated 29 December 2020 to DLO/N outlining the background and status of this parcel of Government land. They also requested for a meeting with the concerned Government officials. This letter was forwarded to CES/NDA on 30 December 2021 by DLO/N. Again, no meeting was arranged by Lands Department.

Later, the Applicant contacted CEDD and Lands Department. Eventually, 3 meetings with CEDD and Lands Department/Planning Department were held on 25 January 2021, 5 February 2021 and 24 March 2021 respectively to try to resolve the issue. Please see the attached Draft Responses to Minutes of Meeting for the second Meeting held on 5 February at Appendix B. This parcel of Government land is vital to the operation of Application Site A since this parcel provides the only access to the remaining portion of Application Site A.

The original arrangement is that Responses to DLO/N's comments dated 25 January 2021 would be made after the issue relating to GLA-TDN 44444 was resolved. However, it has not been resolved yet. The Applicant eventually submitted a letter dated 12 April 2021 to the Ombudsman for assistance with another supplementary letter of 22

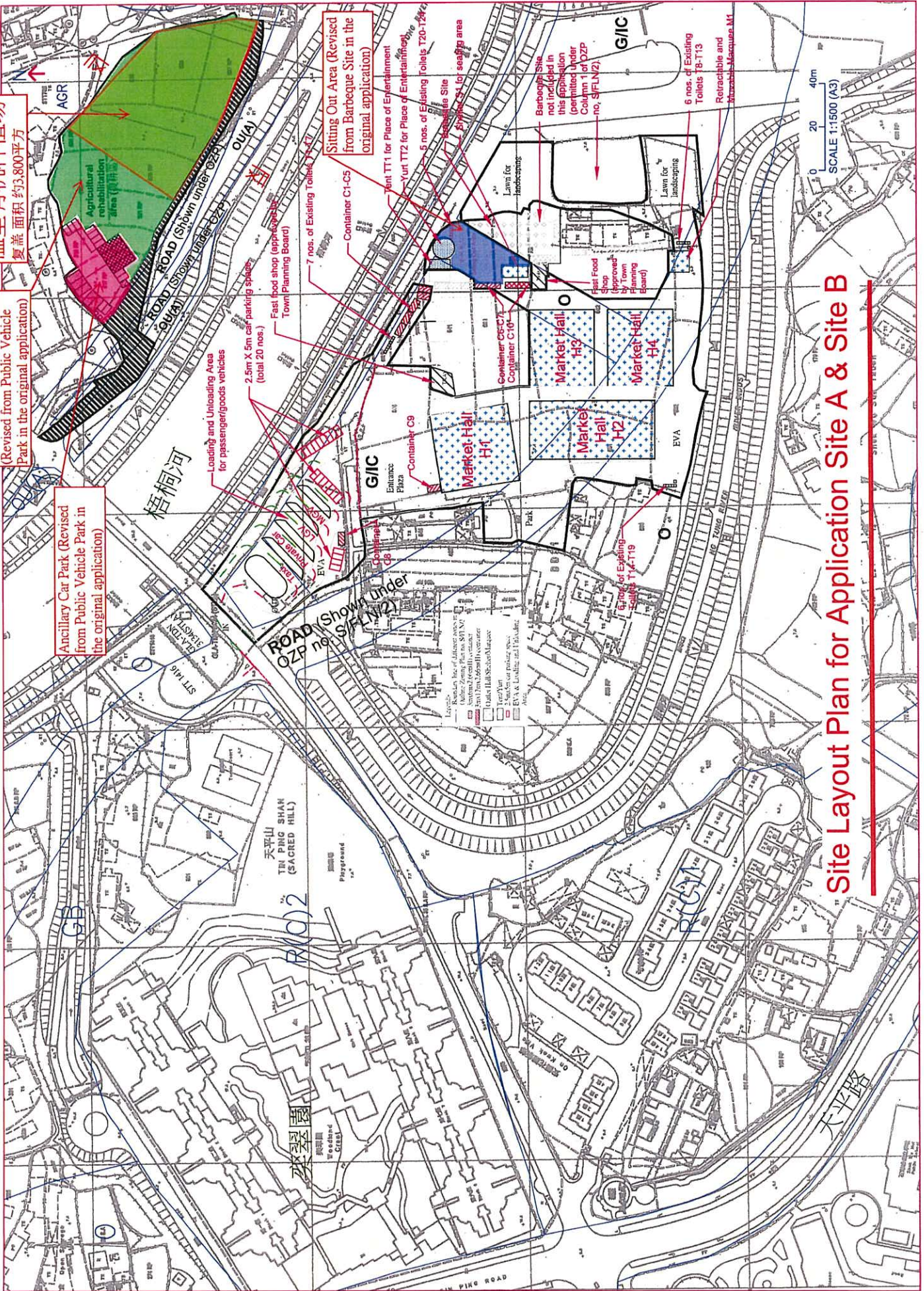
	April 2021. While feedback is being waited from the Ombudsman, Responses are made to the DLO/N's comments dated 25 January 2021 as follows:-.
(a) The application lots are Old Schedule Lots held under the Block Government lease (demised for agriculture use) without any guaranteed right of access. The applicant should make its own arrangement for acquiring access, and there is no guarantee that any adjoining GL will be allowed for the vehicular access of the proposed use;	Noted.
(b) The existing structures on the Site are not acceptable under the Leases concerned. His office reserves the right to take enforcement actions against the aforesaid structures;	Application for short term waiver has been submitted to District Lands Office/North to permit these erections.
(c) The GL adjoining the Site is being occupied without consent from his office. The applicant should cease occupation of the GL concerned. His office reserves the right to take enforcement action against the illegal occupation of GL;	According to the Applicant, no adjoining Government land is occupied by the Applicant.
(d) <u>The Site includes Civil Engineering and Development Department (CEDD)'s works area (GLA-TDN 4444). The applicant has to exclude the GL covered by the GLA concerned from the Site;</u>	Once this comment was received on 26 January 2021, the following verbal responses had been made immediately to Mr Jeffery P.K. Wong of DPO/FS & YLE to object to this excision of the allocated site from the formal Planning Application:- (a) The subject area was part of the Application Site in Planning Application No. A/FLN/22; (b) The site area of GLA-TDN 4444 was more than 5% of the area of our Planning Application and hence excision of this site meant that Planning Application No. A/FLN/22 had to be withdrawn and a new application was required; and (c) The exclusion of this area meant that there was no access to the remaining part of Application Site A and the loading/unloading area could not be provided.
(e) <u>With reference to the development schedule provided by the applicant, the ingress and egress of Site A fall within the boundary of GLA-TDN 4444 allocated to CEDD. The applicant has to seek advice from CEDD;</u>	Please see the Note and the Response for Paragraph (d) above.
(f) <u>With reference to the development schedule provided by the applicant, the application boundary of Site B includes some GL which is for greening or Government, Institution or Community (G/IC) uses. The applicant is advised to exclude the GL concerned from the application boundary;</u>	The Applicant will employ professionals to handle this matter.

(g)	According to the proposed development, mobile toilets would be erected on the Site. The applicant should note that any proposed toilet facilities should meet current health requirements;	The Applicant agrees to employ professionals to deal with the matter.
(h)	Planning permission for temporary shop and services (fast food shop) at Lots 539, 541 and 542 in D.D. 51 has been granted under Application No. A/FLN/20 for a period of 3 years until 13.12.2022;	Yes.
(i)	Land search records indicated that Warning Letters have been registered against Lots Nos. 532 RP, 533 RP, 534 RP, 541, 542 & 544 all in D.D. 51; and	Application for short term waiver to regularise the matter has been submitted to District Lands Office/North.
(j)	If the planning application is approved, the owners of the lots concerned shall apply to his office for a Short Term Waiver (STW) and Short Term Tenancy (STT) covering all the actual occupation area. The application for STW and STT will be considered by Government in its landlord's capacity and there is no guarantee that they will be approved. If the STW and STT are approved, their commencement date would be backdated to the first date of occupation and they will be subject to such terms and conditions to be imposed including payment of waiver fee/rent and administrative fees as considered appropriate by his office. if the planning application is approved, the owners of the lots concerned shall apply to his office for a Short Term Waiver (STW) and Short Term Tenancy (STT) covering all the actual occupation area. The application for STW and STT will be considered by Government in its landlord's capacity and there is no guarantee that they will be approved. If the STW and STT are approved, their commencement date would be backdated to the first date of occupation and they will be subject to such terms and conditions to be imposed including payment of waiver fee/rent and administrative fees as considered appropriate by his office.	The Applicant agrees to apply appropriate STW and/or STT in due course.

温室有机种植场
复盖面积约3,800平方

Agricultural Rehabilitation Area
(Revised from Public Vehicle
Park in the original application)

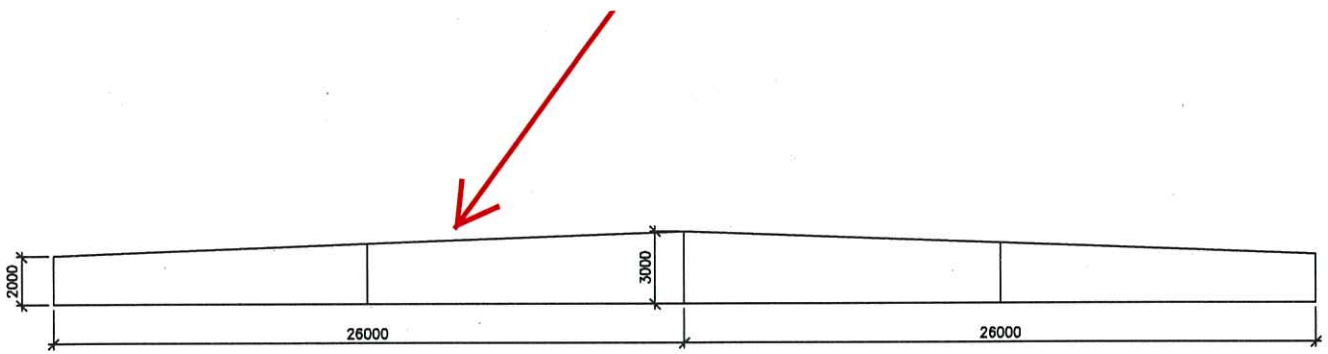
Ancillary Car Park (Revised
from Public Vehicle Park in
the original application)



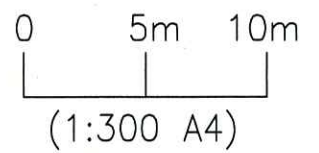
Site Layout Plan for Application Site A & Site B



Nursery shelter covered by
polyethylene sheet



SECTION X-X



合約編號 ND/2019/04
粉嶺北新發展區第一階段 - 粉嶺繞道東段 (石湖新村北至龍躍頭)

反對上水龍環路臨時政府撥地批出安排

會議紀錄第一次的草稿

日期:	二零二二年二月五日 (星期五)
時間:	下午兩時半至下午三時三十七分
地點:	九龍坑工程辦事處一樓會議室
出席者:	梁偉樂 蔣康盈 伍卓剛 黃保傑 丘石彥 曾璿玲 丁至澄 江智祥 黃鑽芬 Wong Him Sun Amy Wong
	高級工程師/17(北) 助理工程師/3(北) 地政主任/工程 2 (新發展區組) 城市規劃師/ 粉嶺、上水 高級工程督察 公關關係主任 地盤代表 匯盈測量師行有限公司 (專業顧問) 梧桐河小鎮發展有限公司 (持份者) 德勤顧問服務有限公司 (專業顧問) 梧桐河小鎮發展有限公司 (持份者) (查詢者)
	土木工程拓展署 地政總署 規劃署 AECOM (顧問公司) 大宇建設-俊和一 群利聯營 (承建商)
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項目	內容	持份者的回應	執行者
1	引言		
1.1	1.1 土木工程拓展署歡迎地政總署、規劃署、顧問公司、承建商及專業顧問及持份者出席第二次會議。土木工程拓展署表示會議的主要目的是為了釐清專業顧問及持份者對土木工程拓展署使用臨時政府撥地 (GLA-TDN 4444) (該撥地) 及其按《城市規劃條例》第 16 條向城市規劃委員會 (城規會) 作出的規劃申請 (編號: A/FLN/22) (該申請) 之間可能存在的誤解。	用詞不當。不是誤解，是澄清事件的歷史發生次序，找出事情發生的不當根源，是糾正參與會議的這些部門行政失當的錯誤，及友好協商如何解決問題，令事情重回正軌。	
1.2	1.2 為了清楚解釋使用該撥地的原因，土木工程拓展署在圖則輔助下 (見附圖一)，詳細解釋工程背景、工地範圍、原本在九龍坑的臨時政府撥地及該撥地的位置。因應專業顧問及持份者的提問，土木工程拓展署表示在 2 月 1 日已透過電郵 (附錄一) 解釋原本在九龍坑的臨時政府撥地距離本合約的工地範圍相距甚遠，而該撥地則在工地旁邊，為加強工程監管的效率 (尤其是安全及質量方面) 及確保工程能安全地進行，土木工程拓展署早前申請該撥地供工程人員使用。	對土木工程拓展署的解釋，持份者覺得這個原因不存在及不能接受，原因如下：- a. 相信原來的招標合約已清楚列明 WORKS SITE 的位置，及知道該工程的目的，並不存在在中標開工後，才覺得原 WORKS SITE 的位置遠及會塞車阻礙時間，不方便施工及監督。 b. 請問，承建商在投標時不知道此工程是為了改善上水、粉嶺的交通擁塞而做的嗎？難道是為了中標，而不惜一切先答應政府所有條件，中標後再慢慢修改合約規定？及 c. 如果沒有該撥地就不能按時完工，那麼持份者有理由相信，中標者有意欺瞞政府，土木工程拓展署在這件事上的角色是什麼？為承建商保護航嗎？這樣做對其他投標者公平嗎？	
1.3	1.3 土木工程拓展署亦展示該申請的圖則 (見附圖二)，聆聽專業顧問及持份者的規劃內容及專業顧問及持份者認為署方使用該撥地對該申請的影響。	內容不完整。 持份者提出土木工程拓展署在申請使用該撥地時的原因不可以接受及地政總署的審批有錯，並且發現可能存在利益輸送的問題，持份者詳訴理據，希望披露涉及的相關細節。無奈，官官相衛就在此刻體現出來，避重就輕，匆匆結束會議了事。	
2	2 議事項及查詢者提出的事宜		
2.1	2.1 專業顧問及持份者認為如土木工程拓展署使用該撥地，將佔用該申請中的撥地上落客區，因此專業顧問及持份者認為城規會不會就此批准其規劃申請。專業顧問及持份者進一步表示 2020 年 6 月已向城規會提交規劃申請，不明白為何地政總署仍然於 2021 年 1 月向土木工程拓展署批出於 2020 年 9 月提出的用地申請。	會上，持份者對此進行了說明。 在此會議之前，在土木工程拓展署及地政總署知道持份者的規劃申請及清楚持份者的質疑後，立即通知規劃署，現該撥地已經有使用者，規劃署亦即時通知持份者，要求將該撥地範圍勾出。 為什麼在會議上又改口說不影響規劃申請呢？究竟真相是什麼？若果不影響規劃申請，為什麼要求勾出？這明顯是一個陷阱，令持份者的規劃申請失敗。	

2.2 規劃署指城規會就每個申請的個別情況作綜合考慮，如：相關土地用途的規劃意向、與周邊土地用途的兼容性、相關政府部門（包括：地政總署、運輸署、漁農自然護理署等）及公眾人士的意見等，然後作出決定是否批准該規劃申請。規劃署表示任何人，不論是否申請地點的現行土地擁有人或使用者，均可向城規會提出規劃申請。規劃署表示土木工程拓展署現時使用該撥地與查詢專業顧問及持份者所提出的規劃申請範圍並無直接關係。規劃署會就規劃申請整合相關政府部門及公眾人士的意見並向城規會提供建議予以考慮及決定是否批准申請。地政總署表示該撥地是政府土地，向城規會提出規劃申請並不代表查詢持份者可自動獲得使用該土地的權利。規劃署及地政總署提醒查詢持份者假如城規會批准其規劃申請後，申請人需自行向分區地政處申請執行相關地政程序，如：申請短期租約/短期豁免書。 # 【會後補註：規劃署補充，截至2021年2月5日，城規會已經按申請人的要求三度延期考慮其申請，以給予時間申請人回應部門意見。申請人表示尚需因應運輸署就交通影響評估的技術性意見及漁農自然護理署就「農業」地帶內擬作停車場用途的意見。此外，根據規劃署紀錄，土木工程拓展署對該規劃申請並無提出反對意見】	會議上，當持份者再次（在第一次會議上已經提出此事）提出這個質疑，為什麼土木工程拓展署及規劃署全都啞口無言？又是官官相衛，嫁禍普通市民，這還是一切利益為人民的政府官員嗎？政府還可信嗎？	持份者在收到漁農自然護理署的意見後，曾多次與該署溝通及約開會，在前粉嶺、上水及元朗東規劃處規劃專員劉寶儀女士的協調下於2020年9月3日開會，出席整個會議的還包括馮武揚高級城市規劃師。劉專員表示2024年持份者所申請的土地都會處於荒廢中，覺得很浪費，應當將土地充分利用，不過都強調保育事宜。持份者非常講同，亦同意保育，願意將申請地點B將大部分土地保留做保育，只保留20個車位給員工使用。 運輸署要求的交通影響評估報告，持份者已交由認可的專業顧問跟進中。 在會議中沒有討論過這項目，不知道土木工程拓展署為什麼加了這會後備注。而且，持份者的規劃申請無收到任何部門反對，只是運輸署提出需要補充資料，漁護署亦只對申請地點B有意見，對申請地點A無反對意見。 在今次的會議記錄第一次草稿，並沒有將這些問題加入及提供答案。 請北拓展處處長回應。	Formatted: Font: Not Bold, No underline Formatted: Font: Not Bold, No underline Formatted: Font: Not Bold, No underline Formatted: List Paragraph, Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: -0.08" + Indent at: 0.18" Formatted: (Asian) Chinese (Simplified, China), (Other) English (Hong Kong SAR), Expanded by 0.5 pt Formatted: Font: Not Bold, No underline Formatted: (Asian) Chinese (Simplified, China), (Other) English (Hong Kong SAR), Expanded by 0.5 pt Formatted: Font: Not Bold, No underline Formatted: (Asian) Chinese (Simplified, China), (Other) English (Hong Kong SAR), Expanded by 0.5 pt Formatted: Font: (Default) 華楷體, 13 pt, Font color: Text 1 Formatted: List Paragraph, Indent: Left: 0.18"
2.3 專業顧問詢問土木工程拓展署以下問題： a. 合約幾時招標？ b. 截標日期？ c. 及投標總人數？			
2.43 查詢專業顧問及持份者質疑地政總署批出該撥地並沒有諮詢相關部門及城規會。地政總署表示因應該用地申請的臨時性質，該撥地是透過簡易臨時撥地程序批出，按程序批出前無需諮詢相關部門及當地居民的意見	持份者指出城規會申請是一個法定程序，有實報紙通知公眾及政府各部門，地政總署難道不應在收到該撥地的申請後通知規劃署及城規會嗎？另外，根據北區地政處的答覆，在2020年12月30日已將上水鄉事委員	就伍卓剛地政主任所指的內部指引，請地政總署署長提供一份這指引的副本	

見。**地政總署**的伍卓剛先生更表示他不知道有這一份的城規會申請，即城規會申請編號 A/FLN/22，經使這份規劃申請曾經在報紙刊登及在城規會的網頁可找到。伍先生更指北區地政處有轉交 2020 年 12 月 29 日上水鄉事委員會主席簽名要求開會的信，故他沒有見過這封信。**規劃署**補充，根據《粉嶺北分區計劃大綱核准圖編號 S/FLN/2》註釋，由政府統籌或落實的道路工程或公共工程在上述大綱圖範圍內屬於經常准許用途，無需向城規會取得規劃許可。

2.54 **查詢持份者**質疑為何擬備工程合約時不將該撥地納入合約範圍內，反而在合約批出後才向**地政總署**申請。**查詢持份者**認為早前該撥地的使用者是另一個工程合約的同一個承建商，指署方申請該撥地涉及利益輸送。是**土木工程師拓展署**回應在擬備工程合約時，該撥地並非未撥用的政府土地，因此並未納入合約範圍內。直至合約動工後，得悉該撥地將會在 2020 年年底交回**地政總署**，**土木工程師拓展署**在與工程團隊商議後，認為該撥地毗鄰工地，因此可加強工程監管的效率（尤其是安全及質量方面）及確保工程能安全地進行，便於 2020 年 9 月向**地政總署**申請使用該撥地。**土木工程師拓展署**表示不明白**查詢持份者**指該撥地涉及利益輸送的因由及理據。

或相關內容。	會主席已簽名的 2020 年 12 月 29 日的信轉交給地政總署的新發展區組，就這幅地的去向要求開會。 北區地政處在 2021 年 2 月 16 日下午的回覆中證明，在 2020 年 12 月 30 日已將上水鄉事委員會主席簽名的信件轉交給地政總署的新發展區組的伍卓剛地政主任及他的上司郭先生。但地政總署伍先生在兩次會議上都極力否認從未收到過此信件，亦未知持份者的規劃申請。對持份者在兩次會議上，多次追問地政總署伍卓剛先生，關於是否收到由北區地政處轉交上水鄉事委員會主席的信件，為什麼高級工程師葉偉樂先生對伍卓剛先生的回答，沒有任何查覓及存疑？是否早已共有共識？ 既然 2020 年 12 月 30 日地政總署的新發展區組已收到上水鄉事委員會主席簽名要求開會的信，已知道持份者的規劃申請，為什麼地政總署又會在 2021 年 1 月 7 日罔顧事實，加速批准 GLA-TDN 4444 的申請？	涉及該撥地的利益輸送問題的因由及理據，在會上持份者已經十分清楚的說明及詢問，土木工程師拓展署及其他與會的部門人員並沒有給予持份者提問的答案，在此會議記錄中也未呈現。現持份者再次將存疑的問題、理據列明如下： a. ND/2019/04 合約幾時招標？ b. 截標日期？ c. 投標總人數？ d. 招標時有沒有招標者指出這個 Works Site 不可以接受，會影響工程進度，需要更換另一幅地作 Works Site？ e. 土木工程師拓展署是否知道該撥地之前的使用者其中一個是俊和公司？ f. 土木工程師拓展署是否知道該撥地現在的使用者依然是俊和有份參與的聯營公司？ g. 前使用者是否有還原土地後才交回地政總署？（如土地尚未還原便批出去，手續上有疑問） h. 持份者亦都詢問誰倡議這幅地的申請，土木工程師拓展署的梁偉樂高級工程師堅持數次說是“土木工程師拓展署的團隊”申請的，但在 2020 年 1 月 25 日的會議上，合營公司的丁先生說是他們提議並揀選這幅地再經土木工程師拓展署申請。這是否是不盡不實，自相矛盾？另外“土木工程師拓展署的團隊”是什麼意思，“土木工程師拓展署的團隊”包括什麼人？是不是包括土木工程師拓展署署長，甚至包括整個土木工程師拓展署所有員工？ i. 現使用者為何在在 Works Site 的情況下，依然堅持要該撥地作新的 Works Site？ j. 土木工程師拓展署作為政府工程的監督部門，不應在申請前慎重考慮是 否有利益輸送的問題嗎？ 請土木工程師拓展署署長、副署長及北拓處處長回應什麼是“土木工程師拓展署的團隊”。
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k. 土木工程拓展署在知道該撥地的詳細情況及持份者提出的質疑後，不 是應該高度重視，積極展開調查，配合各部門及持份者，一起了解清 楚事件，做到有錯必改、有犯必究嗎？	持份者提出以下的問題：- a. 承建商不接受替代土地，請問，原合約中的 Works Site 的面積是多 少？怎樣衡量面積是否夠用？ b. 請問土木工程師拓展署，是否承建商想怎樣就怎樣？該署的角色是什 麼？ c. 請問土木工程師拓展署，承建商一意孤行，堅持要該撥地，完全不顧有 利益輸送之嫌，該署為何還要保駕護航？ d. 請問土木工程師拓展署，是否已忘記自己是政府部門的一員，職責是要 維護香港市民的利益？	a. 持份者要求，在事情未有結果時，未免惹爭議，不要使用該撥地。 b. 將土地免費提供給一個在工程合約上已承諾準時完工的承建商，另一 個是可提供 2,000 多個就業機會的平民活動，在該撥地使用的審批 上，是否作出了最佳選擇？ c. 增加多一個 Works Site，可加快完工，假定可提前 6 個月完工，有 否書面合約性承諾？ d. 持份者的規劃申請，是用實際行動支持政府提倡的保就業、振興經 濟，為今日疫情下千瘡百孔的香港出一份力。 e. 非常讚同前兩項、上水及元朗東規劃處規劃專員劉寶儀女士的意見： 充分利用閒置的土地資源，支持相關短期發展。	已致電相關部門。持份者本著自己的事小，公眾利益事大的原則，發現 有違法犯紀的事情，一定追究到底，幫政府清掃害蟲，還事實、公益於 民。
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2.65 **查詢專業顧問及持份者**用附圖三提出兩個替代方案，希望能解決土地
糾紛。

方案一：**查詢專業顧問及持份者**要求**土木工程師拓展署**放棄使用
該撥地，並用土地甲替代。**承建商**認為土地甲面積太小，不適
宜使用。

【會後補註：**查詢專業顧問及持份者**於會後(2021 年 2 月 5 日)
致電及電郵致**土木工程師拓展署**，表示土地甲旁的土地丙亦可使
用。**土木工程師拓展署**徵詢**承建商**的意見後，認為土地甲加土地
丙的面積亦低於該撥地的面積，並不足夠工程使用。】

方案二：**查詢專業顧問及持份者**願意免費借出私人土地（土地
乙）以供工程使用。**土木工程師拓展署**表示土地乙涉及私人土
地，工程一般會向**地政總署**申請並未撥用的政府土地作工程用
地。

2.74 **查詢持份者**強烈要求**土木工程師拓展署**及**承建商**停止使用該撥地，並要求
兩天後與上水鄉居民再召開會議討論，否則村民會進行抗爭行為（例如
拉橫額等等），以阻止有關工程進行。**查詢持份者**要求**土木工程師拓展署**
慎重考慮後果。**土木工程師拓展署**重申使用該撥地是合法合規，**規劃署**亦
已於上述第 2.2 段解釋**土木工程師拓展署**使用該撥地與**查詢者**向城規會提
出的規劃申請範圍並無直接關係。**土木工程師拓展署**表示因應工程實際需
要，並為確保工程能準時及有序完成，工程團隊會依計劃開展相關工程
並繼續使用該撥地。**土木工程師拓展署**提醒任何阻礙工程的行為只會影響
粉嶺繞道（東段）儘早完工，未能早日提供新道路將現時進入粉嶺/
上水市中心的交通分流，減輕粉嶺/上水市中心的交通負荷。**土木工程師
拓展署**表示通過兩次會議，以及之間的電話討論及電郵往來，署方及相
關部門已盡力釐清**查詢專業顧問及持份者**對該撥地及該申請之間可能
存在的誤解。如**查詢專業顧問及持份者**有進一步的查詢，可隨時向相關
部門提出，並會作出適當的跟進。

2.87 **查詢專業顧問及持份者**表示會立即致電**土木工程師拓展署**署長，及致電**規
劃署**署長再提出相關訴求。

開會的目的未達到，沒有事先通知開會的總時間，用個人還有會議要開為由，匆匆結束會議。	
會議記錄不全面，不是真實記錄當時開會的內容性（1月25日的會議記錄更加偏離事實），斷章取義，有利自己，請問，開會的公平性在哪裡？會議記錄的目的是什麼？這是否屬於行政失當？	

資料文件

立法會發展事務委員會

以棕地群作公營房屋發展（第二階段檢視）及其他發展

目的

本文件簡介規劃署物色棕地群作公營房屋發展的第二階段建議及相關部門的後續工作，以及載列屬這階段檢視範圍內並會納入其他發展研究／項目的棕地群。

背景

2. 規劃署於 2019 年 11 月公布《新界棕地使用及作業現況研究》（下稱《棕地研究》）的結果。發展局於 2019 年 11 月 26 日向發展事務委員會簡介研究的結果及政府的跟進行動¹。

3. 根據《棕地研究》，在 1 579 公頃棕地當中，約有 803 公頃已納入正在推行或規劃中的新發展區項目或其他已知的政府或私人發展項目。撇除該 803 公頃及另外位於保育相關地帶的 76 公頃棕地，餘下約 700 公頃的棕地零散分布於新界各處。按照研究顧問的粗略分類²，在這 700 公頃棕地當中，450 公頃被列為具有高或中度可能發展潛力。正如 2019 年《施政報告》提及，規劃署一直分階段檢視這 450 公頃棕地，以評估當中有多少適合作短、中期公營房屋發展。

¹ 詳情見立法會 CB(1)160/19-20(06)號文件
(<https://www.legco.gov.hk/yr19-20/chinese/panels/dev/papers/dev20191126cb1-160-6-c.pdf>)。

² 研究顧問基於棕地與新市鎮和主要公路的直線距離，以及棕地群面積這三個可量化準則，進行粗略的分類。此分類不能視為對棕地的發展潛力的最終結論，其潛力須按個別棕地的情況再作檢視及技術評估後才可作實。

4. 首階段檢視已於 2019 年完成，涵蓋較接近現有基建設施的 160 公頃棕地。規劃署在當中物色了八組位於元朗、屯門及大埔可在短、中期作較高密度公營房屋發展的棕地群（涉及前述 160 公頃棕地中的 36 公頃）³。透過與其相鄰並具發展潛力的土地合併研究，八個項目的研究範圍合共約 63 公頃，現階段粗略預計共可提供**超過 20 000 個公營房屋單位**。自 2020 年 6 月起，土木工程拓展署已就上述棕地群陸續展開工程可行性研究，以確定公營房屋發展項目的可行性及規模，而每項工程可行性研究需要約 18 個月完成。

以棕地群作公營房屋發展（第二階段檢視）及其他發展

5. 按照首階段檢視的方向，規劃署已完成了上文第 3 段所述 450 公頃棕地中餘下 290 公頃的第二階段檢視工作。根據檢視的情況：—

- (a) 有 62 公頃棕地已經／將會涵蓋於其他研究、正在規劃中的項目或已規劃作發展用途的地帶內，包括：—
 - 約 12 公頃鄰近新田／落馬洲發展樞紐具發展潛力地區，已被納入正在進行的新田／落馬洲發展樞紐研究的經修訂範圍（詳情見第 14 段）；
 - 約 18 公頃由於鄰近擬建的北環線牛潭尾車站，將會納入牛潭尾地區的土地用途檢討內（詳情見第 15 至 16 段）；以及
 - 約 32 公頃屬位於已規劃作公共／社區設施、道路及鐵路發展或其他發展用途的地帶內。

³ 詳情見立法會發展事務委員會 CB(1)463/19-20(01)號文件
(<https://www.legco.gov.hk/yr19-20/chinese/panels/dev/papers/devcb1-463-1-c.pdf>)。

- (b) 約 11 公頃涵蓋於四組位於上水及元朗獲物色為可能具潛力在短、中期內作公營房屋發展的棕地群內。詳情見下文第 7 至 13 段。
- (c) 約 18 公頃棕地位處本身規劃作工業、露天貯物、港口後勤等用途地帶，可繼續容納棕地作業。

6. 至於餘下 199 公頃並未有房屋、經濟及其他發展計劃的棕地，有大約 131 公頃附帶各種於短期內難以克服的發展局限，並未切合是次檢視的目標，即物色適合在短、中期作公營房屋發展的棕地群。縱使有上述發展限制包括部分地點受制於地形、地理及實際環境問題而難以接駁至區域或區內幹道，但我們會繼續留意可長遠釋放這些棕地發展潛力的機遇。另外，約有 68 公頃的棕地各自位置分布非常分散⁴，並夾雜於已發展用地之間，例如已落成的房屋發展及社區設施，因此個別難以促成合適規模的公營房屋發展。

物色作公營房屋發展的棕地群

7. 在考慮了各項規劃因素（包括周遭土地用途兼容、運輸容量、基建及社區設施、環境、城市設計及美化市容等）後，規劃署物色了四組位於上水及元朗可能具潛力在短、中期內作公營房屋發展的棕地群。這四組棕地群合共涉及約 11 公頃的棕地，而透過與其相鄰的土地合併研究，建議研究的範圍合共約 31 公頃。現階段粗略預計上述四組棕地群合共可提供**超過 10 000 個公營房屋單位**⁵。視乎個別用地的工程可行性研究（各需時大約 18 個月完成），以及相關法定程序或工程進度，上述棕地群的預計提供單位數目及發展時間可能在未來會有所調整。

⁴ 該 68 公頃棕地中，有約 62 公頃(或 91%)分別坐落於面積少於 1 公頃的棕地群。

⁵ 這估算數字是根據《香港規劃標準與準則》鄉郊地區的最高住用地積比率 3.6 作假設，實際發展參數有待土木工程拓展署的工程可行性研究才能確定。因應公營房屋供應短缺，工程可行性研究將會在充分考慮各發展限制（如運輸基建容量）下，進一步探討能否提升住用地積比率至 6.5 倍，以增加公營房屋單位供應。

8. 該四組棕地群位置分布載列於表一，而後續工作見下文第9至13段。

表一：物色作公營房屋發展的棕地群

棕地群地點		建議研究面積 [涉及棕地面積] (約)(公頃) ^註	目前涵蓋的土地用途地帶	地圖
上水				
1.	華山 (梧桐河以北)	4 [2]	「農業」及 「綠化地帶」	圖 1
元朗				
2.	沙江圍北 (天影路以西)	16 [5]	「綠化地帶」及 「休憩用地(1)」	圖 2
3.	屏葵路 (近屏柏里)	5 [2]	「住宅(乙類)1」、 「政府、機構或社區」、 「休憩用地」及 「住宅(甲類)1」	圖 2
4.	錦河路 (八鄉路以南)	6 [2]	「農業」及 「綠化地帶」	圖 2
	總計	~31 [~11]		

註：因四捨五入，數字的總和可能與總數略有出入。

後續工作

(A) 四組物色作公營房屋發展的棕地群的工程可行性研究

9. 土木工程拓展署正積極籌備在今年第二季起，就表一所列的四組棕地群陸續展開工程可行性研究，以確立發展參數（包括擬議地盤面積、發展密度和預計單位數量等）。各組選址將會涉及不同程度在交通運輸、雨水排放、排污及食水供應等基礎設施容量的挑戰。我們現階段期望大約或少於 6 年內（相對於現時一般不少於 8 年）將「生地」造成「熟地」，即完成工程可行性研究、改劃、詳細設計、收地、清拆、土地除污及平整工程，以將土地交付相關機構興建公營房屋，並爭取將部分單位落成的時間壓縮至由工程可行性研究起計大約 10 年內，以增加短中期供應。

由政府主導發展

10. 由於政府現時表明意向，屬意透過收回及清理該四組棕地群在內的土地發展公營房屋，並即將就此展開工程可行性研究，故我們會採取與首階段檢視一致的處理方法，即研究範圍⁶內的私人土地將不符合土地共享先導計劃⁷的參與資格。此外，地政總署暫時不會處理研究範圍內的私人土地擁有人提出的契約修訂（包括換地）申請。

法定程序、公眾諮詢及處理受影響住戶／作業者

11. 根據《棕地研究》的調查結果，該四組選址涵蓋 11 公頃的棕地，估計涉及大約 39 個作業場地，主要包括一般倉庫／貯物，

⁶ 土木工程拓展署稍後展開工程可行性研究時，會為上文第 8 段表列的每個地點進一步確立研究範圍。政府會因應工程可行性研究的技術評估和結果，確定日後公營房屋發展的用地範圍（包括涉及的政府和私人土地界線），因此確定的發展範圍或會與研究範圍不盡相同。

⁷ 獲物色的棕地群將會屬於土地共享先導計劃的地域限制內。圖則備妥後會上載至土地共享先導計劃的網頁
(https://www.devb.gov.hk/tc/issues_in_focus/land_sharing_pilot_scheme/index.html)。

以及建造業的設施。另外，零散分布在選址主要範圍內的構築物（可能涉及少量的臨時住用構築物）日後或無可避免須要遷拆，以地盡其用，為公營房屋項目提供更合理的布局。

12. 待各選址的工程可行性研究完成及確立擬議公營房屋發展項目的可行性、發展參數、範圍和居住人口等建議後，地政總署會盡快展開凍結登記，確定受影響住戶和棕地作業者，以及登記他們的資料。政府會按既定程序啟動改劃、工程刊憲及收地的工作。我們會按 2018 年 5 月公布的經優化特惠補償及安置安排，為受影響住戶和棕地作業者提供補償和安置安排。

13. 按照法定程序，公眾可於修訂相關的分區計劃大綱圖階段提交申述或意見，供城市規劃委員會考慮。此外，在改劃程序中，相關部門會根據工程可行性研究的具體建議適時啟動地區諮詢。

(B) 新田／落馬洲發展樞紐研究

14. 政府已於 2019 年 9 月展開涵蓋新田／落馬洲發展樞紐的新界北第一期發展研究。在研究過程中，新田／落馬洲發展樞紐的範圍已伸延至覆蓋鄰近土地，當中包括約 12 公頃位於規劃署第二階段檢視範圍內的棕地，以便綜合規劃及發展。換言之，該 12 公頃棕地屬新田／落馬洲發展樞紐 320 公頃正在規劃中的新發展區項目的一部分，而該項目預計合共可提供 31 000 房屋單位，以及經濟和社區設施。政府即將尋求財務委員會批准撥款，用以推展稍後的勘查研究及設計工作。

(C) 牛潭尾地區的土地用途檢討

15. 香港鐵路有限公司剛展開研究中的北環線走線和擬建牛潭尾車站正好提供機會，可綜合及完善檢視更廣闊的地段，釋放沿線帶來的潛在發展機遇。

16. 規劃署和土木工程拓展署會於今年稍後就牛潭尾地區展開土地用途檢討，以探討未來路向。建議研究範圍涉及擬建牛潭尾車站周邊地區，包括 18 公頃零散棕地，其餘的主要是寮屋區和常耕或荒置農地，涉及多種土地用途地帶，計有「綜合發展區」、「住宅(丁類)」、「工業(丁類)」、「康樂」和「綠化地帶」。土地用途檢討會考慮北環線帶來的發展機遇，以確定該區可否作綜合發展，並會建議概括土地用途（可包括公營及私營房屋和其他支援土地用途）及支援發展所需的新建或提升基建設施，以及提出跟進研究和推行模式建議。規劃署及土木工程拓展署會在這土地用途檢討一併考慮與擬議的北環線走線的銜接問題，包括擬議的牛潭尾車站及相關鐵路設施的最終布局，以方便日後往來擬議車站和規劃中的新界北策略增長區。預計土地用途檢討需時約 24 個月完成，以便政府日後決定如何推行。視乎土地用途檢討結果，如果假設整個地區會用作房屋發展，粗略估計上述 18 公頃零散棕地日後會帶來**超過 6 000 個公營及私營房屋單位**供應。

結論

17. 正如 2021-22 年度《財政預算案》所述，新界合共有**超過 860 公頃棕地可陸續發展作房屋及其他土地用途**，佔棕地整體面積的**54% 以上**。這些棕地包括已納入先前已公布的各新發展區項目或規劃中的政府或私人發展項目的 803 公頃棕地（見上文第 3 段）、涵蓋於第一階段物色作公營房屋發展的八組棕地群內的 36 公頃棕地（見上文第 4 段）、納入新田／落馬洲發展樞紐修訂研究範圍的 12 公頃棕地（見上文第 5 段）及現階段獲物色作公營房屋發展的四組棕地群內的 11 公頃棕地（見上文第 7 段）。隨著北

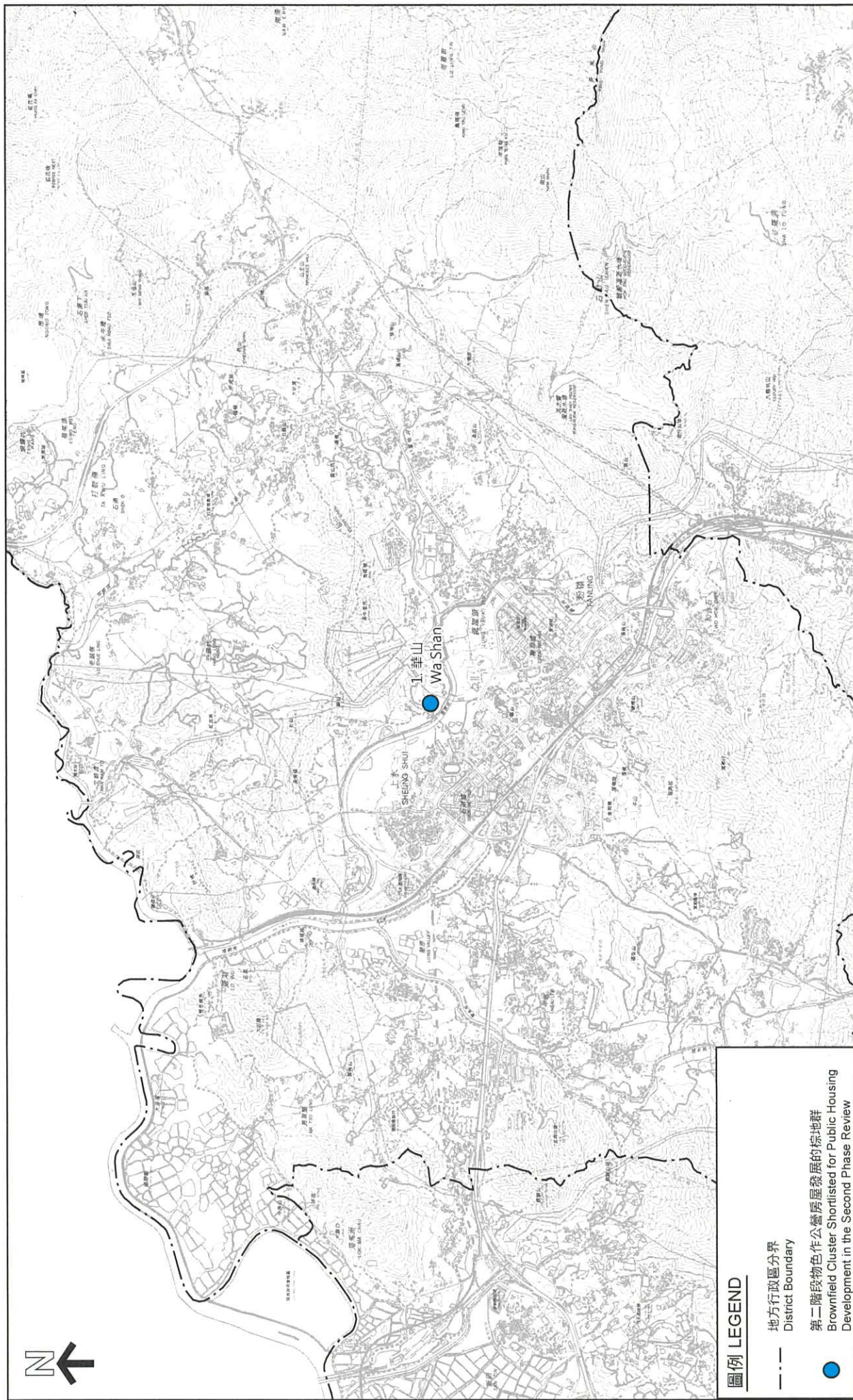
環線及相關土地用途檢討研究的開展，預計牛潭尾一帶的部分棕地（見上文第 16 段）日後也可重新發展作更具效益的用途。

18. 雖然在未來十年左右，將有超過一半的棕地會重新發展作房屋及其他土地用途，但我們明白棕地作業目前正支援我們經濟的不同行業。對於無法輕易在已發展用地經營的工業或貯物作業，新界棕地正是它們可負擔或可兼容的營運空間。正因如此，期望一刀切淘汰所有新界棕地是不符合現實需要的。就此，現行規劃制度允許部分棕地繼續容納露天作業，而城市規劃委員會已於去年公布修訂的規劃指引⁸，藉以將相關的工業或貯物作業引導至更合適的地點。另一方面，我們將繼續在規劃和土地制度下加強執法行動，以處理未經批准的棕地作業。

19. 請委員備悉本文內容。我們會適時向發展事務委員會匯報上文各項後續工作的進展。

發展局
規劃署
土木工程拓展署
2021 年 3 月

⁸ 規劃指引編號 13F《擬作露天貯物及港口後勤用途而按照「城市規劃條例」第 16 條提出的規劃申請》
(<https://www.info.gov.hk/tpb/tc/forms/guideline.html>)。



圖例 LEGEND

--- 地方行政區分界
District Boundary

● 第二階段物色作公營房屋發展的棕地群
Brownfield Cluster Shortlisted for Public Housing
Development in the Second Phase Review

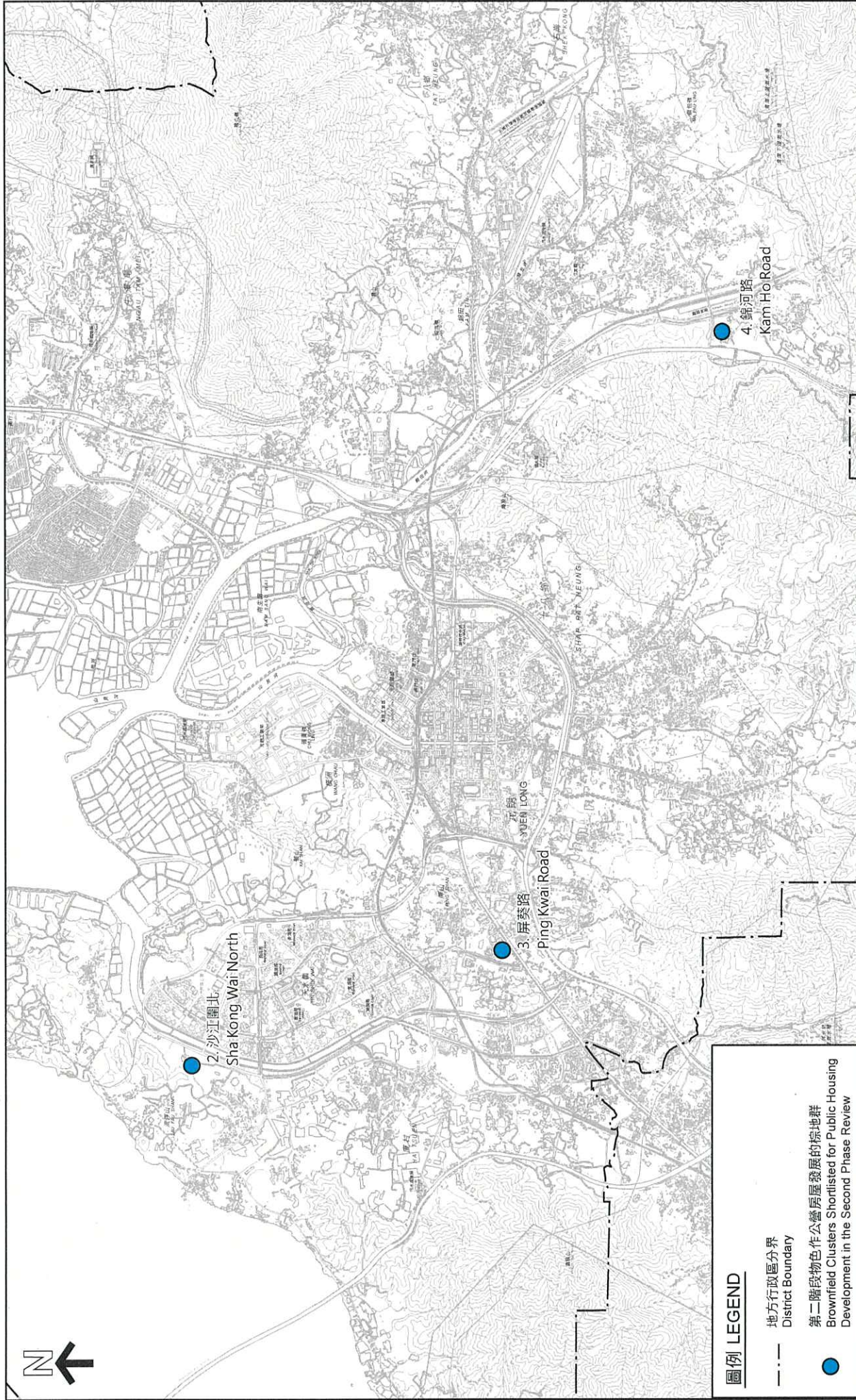
棕地檢討下所物色的北區具公營房屋發展潛力的棕地群
SHORTLISTED CLUSTERS FOR POTENTIAL PUBLIC HOUSING IDENTIFIED UNDER BROWNFIELD SITES REVIEW IN NORTH DISTRICT

SCALE 1: 50 000 比例尺
METRES 500 0 500 1000 1500 METRES

規劃署
PLANNING DEPARTMENT

PLAN 1

參考編號
REFERENCE No.
M/SR/BF/21/010_1



圖例 LEGEND

--- 地方行政區分界
District Boundary

● 第二階段物色作公營房屋發展的棕地群
Brownfield Clusters Shortlisted for Public Housing
Development in the Second Phase Review

棕地檢討下所物色的元朗區具公營房屋發展潛力的棕地群
SHORTLISTED CLUSTERS FOR POTENTIAL PUBLIC HOUSING IDENTIFIED
UNDER BROWNFIELD SITES REVIEW IN YUEN LONG DISTRICT

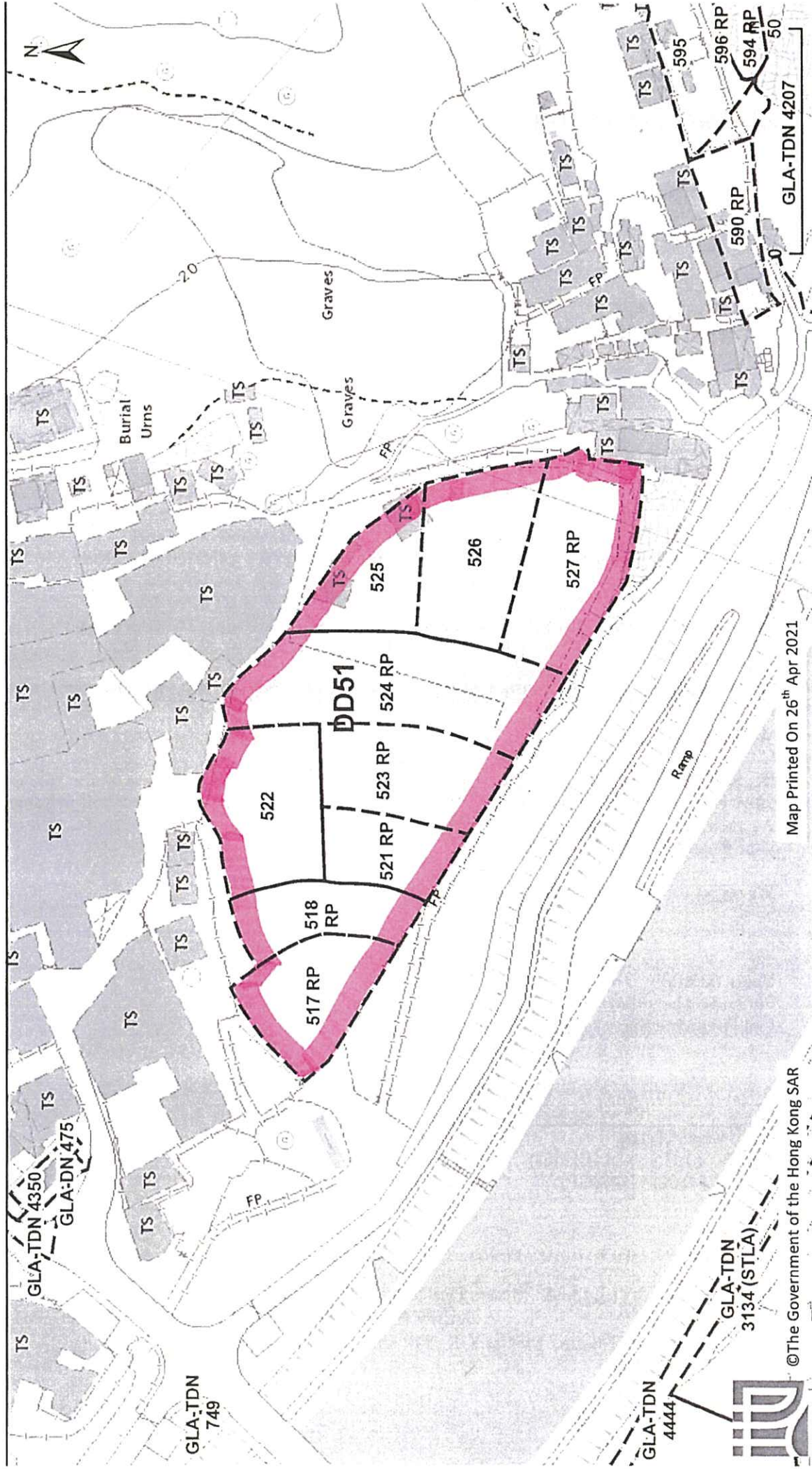
SCALE 1: 50 000 比例尺
METRES 500 0 500 1000 1500 METRES

規劃署
PLANNING DEPARTMENT

參考編號
REFERENCE No.
M/SR/BF/21/010_2a

PLAN
2

Go to map: <https://www.map.gov.hk/gm/geo:22.5074,114.1370?z=1128>



申請的規劃編號： A/FLN/22

涉及的政府用地： GLA-TDN 4444 (簡稱該撥地)

致規劃署副署長龍小玉女士親啟：

龍女士，你好！

由於上述規劃申請已經排期在 2021 年 5 月 14 日上城規會開會，因為申請人在解決運輸署及該撥地問題上被有關政府部門拖延了很多時間，令至申請人已經第四次延期上會，但直到今天，運輸署不僅單方面終止了申請人的交通評估報告，規劃署黃保傑先生轉告運輸署更不會與申請人開會，這對申請人極不公平。在該撥地已經批給土木工程拓展署使用的問題上，貴署代表黃保傑先生早已表示，並不影響申請人的規劃申請，但運輸署的最後一次回覆中指出，有人通知運輸署該撥地已有人使用，所以運輸署不支持申請人的規劃申請。而貴署負責的陸專員等有關人士對運輸署不約見的決定，亦表示支持。

申請人就該撥地事件遇到的各政府部門的不公平對待，已經投訴給申訴專員，申訴專員亦已經建立檔案徹查此事，是否政府人員在處理此事上有行政失當行為，但需時約 3-6 個月。

因為運輸署及規劃署給申請人的資訊，令申請人十分迷惘，不清楚究竟該撥地是否會影響規劃申請。所以無奈，申請人唯有向副署長龍女士尋求幫助，希望可延期 2 個月再上會，給申述專員時間，給申請人處理運輸署交通評估報告問題的時間，並希望龍女士能協助與運輸署盡快開會，令申請人及申請人所聘請的交通專業顧問與運輸署作有益、有建設性的會面，解決問題，亦希望得到一個公平的機會。

不情之請，望見諒！

連附件

1. 附件一 致申述專員 (2021-04-12)
2. 附件二 致申訴專員補充文件 (2021-04-22)
3. 附件三 規劃署轉交運輸署的電郵文件 (2021-04-16)

申請人：梧桐河小鎮發展有限公司

簽名：

代 表：

電 話：

傳 真：

電 郵：

日 期：2021 年 5 月 3 日

城市規劃委員會

香港北角渣華道三百三十三號
北角政府合署十五樓

TOWN PLANNING BOARD

15/F., North Point Government Offices
333 Java Road, North Point,
Hong Kong.

傳 真 Fax: 2877 0245 / 2522 8426

電 話 Tel: 2231 4810

來函檔號 Your Reference:

覆函請註明本會檔號

In reply please quote this ref.: TPB/A/FLN/22

By Post & Fax ()

12 March 2021

Land Supreme Surveyors Ltd.

(Attn.: Kong Chee Cheung)

Dear Sir/Madam,

Proposed Temporary Shop and Services, Place of Entertainment, Place of Recreation, Sports or Culture (Barbecue Site) and Public Vehicle Park (excluding container vehicle) for a Period of 3 Years in "Agriculture", "Government, Institution or Community", "Open Space", "Other Specified Uses" annotated "Sewage Pumping Station", "Other Specified Uses" annotated "Amenity Area" Zones and area shown as 'Road', Lots 517 RP, 518 RP, 521 RP, 522, 523 RP, 524 RP, 525, 526, 527 RP, 532 RP (Part), 533 RP (Part), 534 RP (Part), 539 (Part), 540 (Part), 541 (Part), 542 (Part), 543 (Part), 544, 545, 547 (Part), 548 (Part), 551 (Part), 552 and 553 in D.D. 51 and Adjoining Government Land, Sheung Shui

I refer to my letter to you dated 19.2.2021.

After giving consideration to the application, the Town Planning Board (TPB) decided at its meeting on 26.2.2021 to defer a decision on the application as requested by you pending the submission of further information from you. The TPB agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from you. If the further information submitted by you is not substantial and can be processed within a shorter time, the application can be submitted to an earlier meeting for the TPB's consideration. The TPB also agreed to advise you that two months (from the said meeting) are allowed for preparation of the submission of further information. Since it is the fourth deferment and a total of seven months have been allowed for preparation of the submission of further information, it is the last deferment and no further deferment would be granted.

A copy of the TPB Paper in respect of the application (except the supplementary planning statement/technical report(s), if any) and the relevant extract of minutes of the TPB meeting held on 26.2.2021 are enclosed herewith for your reference.

If you wish to seek further clarifications/information on matters relating to the above decision, please contact Mr. Patrick Fung of Fanling, Sheung Shui & Yuen Long East District Planning Office at 3168 4034.

Yours faithfully,



(Raymond KAN)
for Secretary, Town Planning Board

Previous s.16 Applications

Rejected Applications

Application No.	Uses/Developments	Date of Consideration	Rejection Reasons
A/NE-FTA/162	Proposed Temporary Open Storage of Construction Materials and Storage for Construction Materials and Tools with Ancillary Office for a Period of 3 Years	10.3.2017 (On review)	R1 – R3
A/NE-FTA/183	Proposed Temporary Exhibition and Convention Hall with Shop and Services and Eating Place for a Period of 3 Years	18.5.2018	R4 – R6

Rejection Reasons:

- R1 The application is not in line with the planning intention of the “Agriculture” (“AGR”) zone for the area which is primarily intended to retain and safeguard good agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justifications in the submission for a departure from such planning intention, even on a temporary basis.
- R2 The application does not comply with the Town Planning Board Guidelines No. 13E on Application for Open Storage and Port Back-up Uses in that there is no previous planning approval granted at the site; there are adverse departmental comments on the application; and the applicants fail to demonstrate that the development would have no adverse environmental and landscape impacts on the surrounding areas.
- R3 Approval of the application would set an undesirable precedent for similar applications within the same “AGR” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.
- R4 The proposed development is not in line with the planning intention of the “Agriculture” (“AGR”) and “Other Specified Uses” annotated “Amenity Area” (“OU(A)”) zones for the Fu Tei Au and Sha Ling and Fanling North areas, which are primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes; to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes; and to provide landscaping and planting to enhance the environment. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.
- R5 The applicant fails to demonstrate in the submission that the proposed development would not result in adverse traffic, landscape and environmental impacts on the surrounding areas.

R6 The approval of the application will set an undesirable precedent for similar applications within the "AGR" and "OU(A)" zones. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.

Similar s.16 Application
Within the Same “G/IC”, “O”, “OU(SPS)” and “OU(A)” Zones on the
Approved Fanling North Outline Zoning Plan No. S/FLN/2

Approved Application

Application No.	Uses/Developments	Date of Consideration	Approval Conditions
A/FLN/20	Temporary Shop and Services (Fast Food Shop) for a Period of 3 Years	13.12.2019	A1 – A6

Approval Conditions:

- A1 No operation between 11:00 p.m. and 6:30 a.m.
- A2 The submission of a drainage proposal
- A3 The implementation of the drainage proposal
- A4 The implemented drainage facilities
- A5 The submission of a proposal for fire service installations and water supplies for firefighting
- A6 The implementation of the proposal for fire service installations and water supplies for firefighting

北區區議會
新界粉嶺
璧峰路三號
北區政府合署三樓
北區民政事務處轉



NORTH DISTRICT COUNCIL
c/o NORTH DISTRICT OFFICE
3/F, North District Government Offices,
3 Pik Fung Road,
Fanling,
New Territories.
Fax No. 2676 9105

圖文傳真：2676 9105

電話 Tel.: 2675 1575

檔號 Ref: () in HAD NDC 13/30/3/1/19

香港北角渣華道 333 號
北角政府合署 15 樓
城市規劃委員會秘書處

城市規劃委員會主席：

有關北區區議會反對於上水興建購物城的事宜

北區區議會土地發展、房屋及工程委員會（下稱「委員會」）於 2020 年 11 月 16 日舉行的第 5 次會議上，曾討論由劉其烽議員提出有關「北區區議會反對於上水興建購物城」的動議及規劃署的書面回應（載於附件 1 及 2），並通過上述動議。

劉議員認為，有關地點各方面也不適合建購物城，他反對任何以購物城的形式去改動區內土地用途的申請。此外，有委員認為購物城是不必要，而鄰近配套亦不能配合。上水有很多店舖，只是都用來賣水貨。興建購物城只會令它成為另一個水貨城，並為該區居民帶來更大的困擾。另外，有委員表示梧桐河位置鄰近鳳翠區，特別是華山村，他收到很多街坊反映，對於興建購物城的建議感到奇怪和不安。

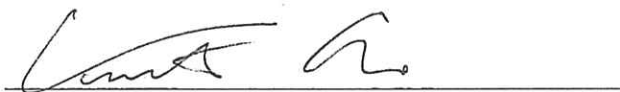
委員會現致函反對於上水興建購物城而提出的更改土地用途的規劃申請。

如有任何疑問，可致電
秘書李可兒女士聯絡。

與本人或

與委員會

北區區議會
土地發展、房屋及工程委員會
主席陳梓峯



2020 年 11 月 27 日

副本送交：

北區區議會土地發展、房屋及工程委員會成員

北區民政事務專員

粉嶺、上水及元朗東規劃專員

2020年11月16日
討論文件

北區區議會
土地發展、房屋及工程委員會
文件第43/2020號

動議：北區區議會反對於上水興建購物城

2020年7月份，上水梧桐河兩旁土地持有人向城規會申請更改土地用途(申請編號：A/FLN/22)，將目前的停車場及燒烤場改為購物城。原位置的燒烤場自開業後已多番對附近如皇府山、石湖新村居民造成滋擾，我亦曾因此問題於上屆區議會提案及繼續要求各政府部門加強執法。

根據申請內容，申請者表示北區沒有足夠的購物地點提供平衡的購物、康樂及休閒設施，其申請可在未來3年滿足這些需求，另亦可提供相關泊車位，故提出為期3年商店及服務行業、娛樂場所、康體文娛場所(燒烤場)及公眾停車場用途短期申請，「充份有效」運用土地。

我們非常反對是次申請，亦必須反駁申請者的說法，主要要點如下：
首先，北區並不需要再增加購物城或設施滿足所謂旅客。事實上，往來上水的大陸人主要為代購客及水貨客，已經嚴重影響上水居民的生活。而且，梧桐河向來為北區居民重要的休憩空間，跑步、踩單車、放狗等，為北區著名的「後花園」。因此，無論政府或任何地主，絕不能奪去北區居民寧靜的河岸休憩空間以賺取個人利益。

其次，倘該地獲批准改為購物城，將令進出梧桐河該段道路及石湖新村、華山村一帶居民構成生命危險。相信附近的居民十分熟悉進入該位置必須經過奕翠園、安國新邨中間的馬路，更為不少石湖新村、華山村居民每日必經之路。現時，此路段行人路十分狹窄，路旁不時因違泊車輛霸佔而被迫行出馬路，由於附近經常有大型車輛出入，險象環生。因此，不難想像日後大量不斷來往購物城的車輛會更嚴重威脅居民的出入安全。

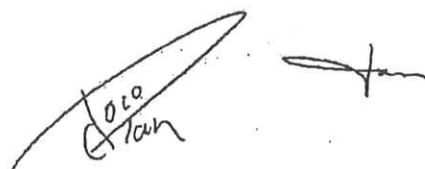
上水市區交通負荷將進一步惡化。根據申請者簡介，預料會有不少旅遊巴等車輛進出購物城。以目前幾近飽和的上水市區道路，屆時新運路、龍琛路、馬會道、天平路等主要道路塞車情況將進一步加劇。因此，政府及城規會絕對不能漠視此問題，癱瘓上水市區以致整個北區的交通。

基於以上原因，我們反對於上水興建購物城的申請，包括但不限於A/FLN/22的規劃申請。

動議人： 劉其烽



和議人： 陳惠達 林淑菁



就「動議：北區區議會反對於上水興建購物城」的書面回應

城市規劃委員會（城規會）於 2020 年 7 月 7 日接獲申請人根據《城市規劃條例》第 16 條提出題述的規劃申請編號 A/FLN/22，將申請地點發展作臨時商店及服務行業、娛樂場所、康體文娛場所（燒烤場）及公眾停車場（為期 3 年）。城規會在收到有關申請後，已根據《條例》規定通過張貼地盤通知及刊登報章通知，將申請資料公開以供公眾查閱，並於查閱期的首三個星期內（即 2020 年 7 月 14 日至 8 月 4 日）收集公眾意見。規劃署粉嶺、上水及元朗東規劃處亦同時致函北區區議會，徵詢北區區議員的意見，以及通過北區民政處收集地區人士的意見。

城規會轄下的鄉郊及新市鎮規劃小組委員會（小組委員會）於 2020 年 9 月 4 日及 10 月 23 日決定按申請人的要求，延期就題述的規劃申請作出決定，以待申請人提交進一步資料。有關申請會在城規會收到申請人的進一步資料當日起計兩個月內提交小組委員會考慮。有關該規劃申請的最新情況，可於以下網址查閱：
https://www.info.gov.hk/tpb/tc/plan_application/A_FLN_22.html。

小組委員會在審議規劃申請時會考慮多方面的因素，包括申請人提出的理據、申請地點及周邊地區的規劃意向、擬議發展與周邊現有用途是否協調、相關部門的意見（包括交通、環境、噪音、污水排放、公共衛生、消防安全及其他技術範疇），以及公眾人士（包括地區人士及北區區議員）的意見。

規劃署

2020 年 11 月

貴賓支持信



本人侯志強，乃上水鄉事委員會主席關於城規申請號碼 A/FLN/22，內容涉及在上水石湖新村，梧桐河兩岸旁大約 3 公頃私人土地內(包括部分政府土地作通道)，發展一個為期 3 年，集購物(Outlet)、娛樂(嘉年華會)、康體文娛(燒烤場)一身的綜合性市集，為新界北區的經濟生態，文化活動，帶來結構性改變，本人在此表示大力支持。

主要原因如下：

據悉申請者三年前已經開始在上水梧桐河兩岸土地進行策劃及開發，目的是想創立一個有全天候冷氣，集購物、旅遊、美食、親子等室內室外活動為一體，新穎大筴地式、有本土特色的主題觀光點。

創業、就業平台

據悉，此項目內各種場地、鋪位租金低廉，非常適合年青人、退休人士及家庭主婦、傷殘、弱智及更新人士自主創業，在毫無租金壓力下，體驗創業樂趣，創造自我價值，減少社會負擔，亦可帶來和諧的正能量。

特色本土遊

此等綜合性、新穎地攤式商業活動，在北區、甚至是整個香港也是缺乏的。此項目既可為北區帶來數以千計的就業機會，也可為香港提供一個大筴地式的娛樂場所及文化活動空間，創造本土遊的新地標。如今面對疫情造成的高失業率及特殊社會氣氛，也會帶來積極和正面影響。

人間溫情，本土希望

推動此項目，對地區及政府的經濟活動，對市民和周邊環境都是有百利而無一害。故此，本人大力支持此項目發展，希望這項目可在冷酷的疫情中散發一點溫暖的陽光。

謝謝！

簽名：

A handwritten signature in black ink, appearing to be "Gau", written over a horizontal line.

日期：2020 年 7 月 27 日

支持信

RECEIVED

04 AUG 2020

Town Planning
Board

申請編號：A/FLN/22

申請地點：新界上水鄉第 51 約

第 517 RP 地段，第 518 RP 地段，第 521 RP 地段，第 522 地段，第 523 RP 地段，

第 524 RP 地段，第 525 地段，第 526 地段，第 527 RP 地段，第 532 RP 地段(部分)，

第 533 RP 地段(部分)，第 534 RP 地段(部分)，第 539 地段(部分)，第 540 地段(部分)，

第 541 地段(部分)，第 542 地段(部分)，第 543 地段(部分)，第 544 地段，

第 545 地段，第 547 地段(部分)，第 548 地段(部分)，第 551 地段(部分)，

第 552 地段及第 553 地段(部分)，及附近政府地

本人非常支持在上述地點申請作臨時綜合性，新穎地攤式商業活動。

此等商業活動，在北區、甚至是在香港地區也是缺乏的，另外，在不需動用政府大量土地資源的情況下，既可為北區帶來數以千計的就業機會，也可為香港提供一個大簞地式的娛樂場所及文化活動空間。現時疫情造成的高失業率及特殊社會氣氛，希望帶來積極和正面的影響。推動此項目，對地區及整個香港的經濟，以及市民和周邊環境都是有百利而無一害，故此本人再次表示對此項目的支持。

謝謝！

支持者贈言：

團體 姓名：

村民/居民 姓名：

屋苑居民 姓名：

身份證號碼（前四位）：

電話：

日期：2020 年 8 月 2 日

規劃申請編號：A/FLN/22

致城市規劃委員會秘書：

《城市規劃條例》規劃申請編號：A/FLN/22

新界上水丈量約份第 51 約地段第 517 號餘段、第 518 號餘段、第 521 號餘段、第 522 號、第 523 號餘段、第 524 號餘段、第 525 號、第 526 號、第 527 號餘段、第 532 號餘段（部份）、第 533 號餘段（部份）、第 534 號餘段（部份）、第 539 號（部份）、第 540 號（部份）、第 541 號（部份）、第 542 號（部份）、第 543 號（部份）、第 544 號、第 545 號、第 547 號（部份）、第 548 號（部份）、第 551 號（部份）、第 552 號及第 553 號和毗連政府土地
申請用途：臨時商店及服務行業、娛樂場所（為期 3 年）

本人/機構對上述申請，現意見如下：

（請於合適的方格內填上“√”號）

☒ 贊成 理由/意見：多一個活動好去處，振興經濟。

☐ 反對 理由/意見：

☐ 無意見 其他補充事項：

簽署：林俊楠

姓名：林俊楠

團體：

電話：

日期：2021 年 4 月 14 日





反對 申請編號 A/FLN/22

敬啟者：

我們是石湖新村(河北段)居民，因有申請編號 A/FLN/22，申請為“臨時商店及服務行業”，這申請如果成功，會嚴重影響附近居民：

1. 製造大量一、二氧化碳、光污染，破壞生態環境、影響附近居民；
2. 製造大量垃圾，引起大量老鼠，蒼蠅和細菌滋生，製造大量噪音，市民永無寧日。
3. 出入道路是雙線雙程行車，行人路狹窄；
4. 人多車多時人車爭路，容易產生意外；
5. 行人路之狹窄，尤其在風雨天，長者、兒童更危險；
6. 燒烤和飲酒地方，產生磨擦和打鬥事件。
7. 在疫情下，人多擁擠，容易傳染疾病。
8. 或者建房屋可以減少居住問題；
9. 過境旅客由 2019 下半年至今已大幅下降，現時的各項設施已足夠區內居民需求。

午夜閃動的強光教人眼花暈眩，夜夜笙歌，飲酒猜枚，後患無窮，晚上強光對村民構成嚴重滋擾，光與聲在梧桐河畔重燃，令人感到厭惡，破壞環境安寧。

聯絡人: 梁小姐 [REDACTED] 梁先生 [REDACTED]

前車可鑑，易請難送，全力反對，懇請當局拒絕是項申請。

石湖新村(河北段)街坊會

2020-8-3

SS

21

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/FLN/22

意見詳情 (如有需要, 請另頁說明)

Details of the Comment (use separate sheet if necessary)

強烈反對! 該位置絕不適合設立任何購物/娛樂聚集空間。

①交通問題: 安全交通問題加劇, 該處小路不可能容納大量車及人!

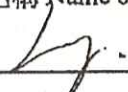
②嚴重影響民生: 噪音、臭氣、污水污染更嚴重

③不應再加任何過境客配套

「提意見人」姓名/名稱 Name of person/company making this comment

劉其峰、北區區議員

簽署 Signature



日期 Date

27-7-2020

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

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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

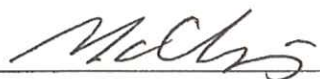
A/FLN/22

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

反對有關 A/FLN/22 規劃申請，申請用地於梧桐河附近，接近華山村與石湖新村。由於該處道路狹窄，通往華山村馬路更是單線雙線行駛，有關申請會造成不必要的交通擠塞，影響附近居民生活。

「提意見人」姓名/名稱 Name of person/company making this comment 蔣曼正 北區區議員

簽署 Signature  日期 Date 28-7-2020

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/FLN/22

意見詳情(如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

本人對此申請作出反對，鄰近大多數居民為長者，如此申請通過，他們將每日被迫吸入燒烤場所產生的廢氣。另外，該處的違泊問題並不嚴重，不會有過百車輛到該處使用停車場，造成浪費土地之餘，令本身的大自然環境受到破壞，是雙輸局面。

「提意見人」姓名/名稱 Name of person/company making this comment 袁浩倫議員

簽署 Signature Sen 日期 Date 28/7/2020



世界自然基金會
香港分會

WWF-Hong Kong

香港新界葵涌葵昌路 8 號
萬泰中心 15 樓
15/F, Manhattan Centre
8 Kwai Cheong Road
Kwai Chung, N.T., Hong Kong

電話 Tel: +852 2526 1011
傳真 Fax: +852 2845 2764
wwf@wwf.org.hk
wwf.org.hk

4 Aug 2020

Chairman and members
Town Planning Board
15/F North Point Government Offices,
333 Java Road, North Point,
Hong Kong
(E-mail: tpbpd@pland.gov.hk)



By E-mail ONLY

Dear Sir/Madam,

RE: Proposed Temporary Shop and Services, Place of Entertainment, Place of Recreation, Sports or Culture (Barbecue Site) and Public Vehicle Park (excluding container vehicle) for a Period of 3 Years in "Agriculture", "Government, Institution or Community", "Open Space", "Other Specified Uses" annotated "Sewage Pumping Station", "Other Specified Uses" annotated "Amenity Area" and area shown as 'Road' in Sheung Shui (A/FLN/22)

WWF would like to lodge objection to the captioned.

Application site B is not in line with the planning intentions of "Agriculture" ("AGR") and "Other Specified Uses" annotated "Amenity Area" ("OU(A)")

The proposed development is not in line with the planning intention of the "Agriculture" ("AGR") and "Other Specified Uses" annotated "Amenity Area" ("OU(A)") zones for the Fu Tei Au and Sha Ling and Fanling North areas, which are primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes; to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. Though the site has now turned into bare land (Fig 1), we consider the site still has possessed high potential for agricultural rehabilitation for green house cultivation or plant nursery.

"Destroy First, Build Later" at application site B

The application site B is mostly located within "Agriculture" zone and previously associated with a "Destroy First, Build Later" case and subject to enforcement action in accordance with the meeting minutes of the 603rd Meeting of the Rural and New Town Planning Committee. According to the site investigation in July 2020, the site has turned into bare land and have not reinstated into its original condition as

together possible

贊助人：香港特別行政區行政長官
盧偉英先生, GBM, GBS, JP
主席：何國權先生
行政總裁：江偉賢先生

義務秘書：香港公益信託基金會有限公司
義務公司秘書：嘉德信託服務有限公司
義務律師：孖士打律師行
義務司庫：國豐銀行
註冊慈善機構

Patron: The Honourable CY Leung, GBM, GBS, JP
Chief Executive of the HKSAR
Chairman: Mr Edward M. Ho
CEO: Mr Peter Cornthwaite

Honorary Auditors: BDO Limited
Honorary Company Secretary:
McCabe Secretarial Services Limited
Honorary Solicitors: Mayer Brown JSM
Honorary Treasurer: HSBC
Registered Charity
(Incorporated With Limited Liability)

註冊名稱 Registered Name: 世界自然基金會 World Wide Fund For Nature Hong Kong
(香港註冊成信託服務有限公司 Incorporated in Hong Kong with limited liability by guarantee)

shown in Fig 2. Even the application is now alike a brown field, we consider the subject application should not be assessed based on the "brown field" state of the site because "Destroy First, Build Later" approach has been undertaken at the application site. Approval of the application likely encourage similar applications to clear and form the site, condone to the 'destroy first, develop later' approach, with further attempt to legalise such unlawful activities years after.

Current land use of application site A has already been changed

According to the site investigation in July 2020, larger part of the application site has already modified into barbecue site (Fig 3) and vehicle park (Fig 4) and the comparisons in Fig 1. Gist portal of the Town Planning Board shows that no such planning application has ever been approved by the board. We consider that planning permission of the current use at the site has not been approved by the Town Planning Board while site clearance and formation are performed that lead to the degradation of the rural landscape character in general. We would like to ask the board to reject such "Destroy First, Apply Later" case and require the concerned parties to reinstate the land.

We would be grateful if our comments could be considered by the Town Planning Board.

Sincerely yours,



Tobi Lau (Mr.)
Manager, Conservation Policy

Fig 1 Current landscape of the application site B (photo taken on 23 July 2020)



Fig 2 Google aerial images showing the change of landscape before and after site formation of both site A and site B



Fig 3 Barbeque site vehicle park entrance at site A (photo taken on 23 July 2020)





Secretary, Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point, Hong Kong
(E-mail: tpbpd@pland.gov.hk)



By email only

4 August 2020

Dear Sir/Madam,

Comments on the planning application for the proposed Temporary Shop and Services, Place of Entertainment, Place of Recreation, Sports or Culture (Barbecue Site) and Public Vehicle Park (excluding container vehicle) for a Period of 3 Years at Sheung Shui (A/FLN/22)

The Hong Kong Bird Watching Society (HKBWS) objects to the planning application based on the following reasons.

- 1 **Not in line with the planning intention of the "Agriculture" (AGR) zoning**
Part of the application site is located within the AGR zone, where the planning intention is "to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes". The proposed Vehicle Park development is not in line with the intention to retain land for agricultural purposes, and therefore we urge the Town Planning Board (Board) to reject this application.
- 2 **The Town Planning Board should not encourage "destroy first, build later"**
From Google Earth aerial photographs, landscape changes including vegetation clearance, site formation and storage of temporary structures were seen at the application site between 2015 and 2019 (Figure 1). We suspect that this is "destroy first, build later". We are concerned the approval of the current application would further legitimize the current misuse of the AGR zone, leading to the promotion

1



of “destroy first, develop later” attitudes among landowners in the locality. As the Board has suggested that *“the Board will not tolerate any deliberate action to destroy the rural and natural environment in the hope that the Board would give sympathetic consideration to subsequent development on the site concerned.”*¹

We urge the Board to reject this application.

3 Set an undesirable precedent to the future development

The approval of this application will set an undesirable precedent to the future similar applications within the AGR zone, and thus nullifying the statutory planning control mechanism. We urge the Board to reject this application in order to protect AGR zone and the existing agricultural cluster from any development threats.

4 Justifications for the decision and comments made by Government departments and the Board

According to the Hong Kong Planning Standards and Guidelines (HKPSG), Chapter 10, Section 2.1 (iii), the Board has the responsibility to *“control adjoining uses to minimise adverse impacts on conservation zones and optimise their conservation value”*. We note that all other Government bureaux/departments are also bound to the HKPSG, the Agriculture, Fisheries and Conservation Department (AFCD) and the Planning Department (PlanD) has the responsibility to advise the Board on the ecological and planning aspects in particular². Given AFCD’s mission to conserve natural environment and safeguard the ecological integrity³ and the proposed development is not in line with the planning intention of the statutory zoning, HKBWS would also expect AFCD and PlanD to object this application. Should AFCD, PlanD or the Board feels otherwise, we urge that the appropriate justifications are provided.

¹ TPB Press Release. Available at:
<http://www.info.gov.hk/gia/general/201107/04/P201107040255.htm>

² AFCD Role of Department. Available at:
http://www.afcd.gov.hk/english/aboutus/abt_role/abt_role.html

³ AFCD Vision and Mission. Available at:
http://www.afcd.gov.hk/english/aboutus/vision_mission/abt_vision_mission.html

The HKBWS respectfully requests the Board to take our comments into consideration and reject the current application. Thank you for your kind attention.

Yours faithfully,

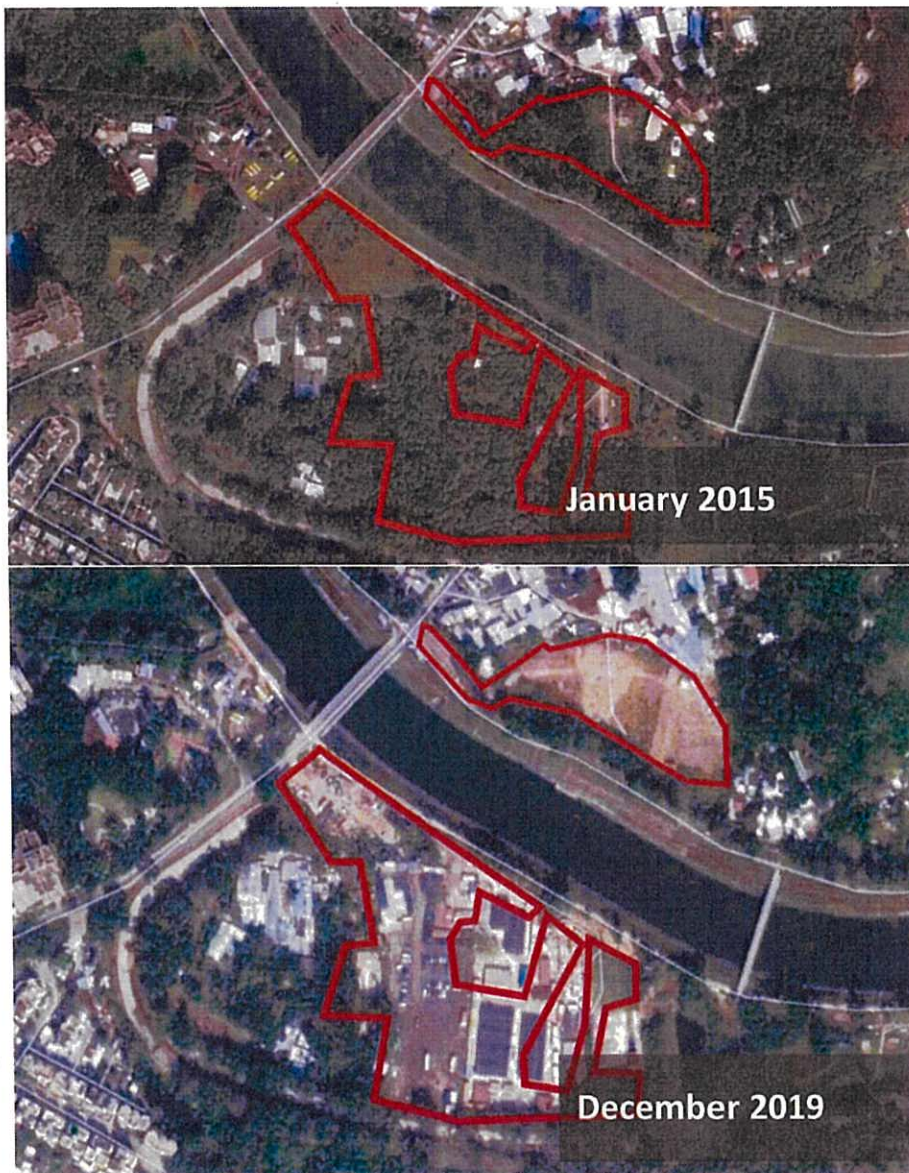
A handwritten signature in cursive script, appearing to read 'Suet Mei'.

Wong Suet Mei
Assistant Conservation Officer
The Hong Kong Bird Watching Society

cc.

The Conservancy Association
Designing Hong Kong
Kadoorie Farm and Botanic Garden
WWF – Hong Kong
TrailWatch

Figure 1. The Google Earth aerial photographs reveal that landscape changes including vegetation clearance, site formation and storage of temporary structures were seen at the application site (marked with red line) between 2015 and 2019. We suspect that this is “destroy first, build later”. We are concerned the approval of the current application would further legitimize the current misuse of the AGR zone, leading to the promotion of “destroy first, develop later” attitudes among landowners in the locality.



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04 August 2020
 Chairman and Members
 Town Planning Board
 15/F, North Point Government Offices
 333 Java Road, North Point, Hong Kong
 Fax: 2877 0245;
 Email: tpbpd@pland.gov.hk



Temporary Shop and Services, Place of Entertainment, Place of Recreation, Sports or Culture (Barbecue Site) and Public Vehicle Park (excluding container vehicle) for a Period of 3 Years (Application No. A/FLN/22)

Dear Chairman and Members,

Designing Hong Kong Limited **objects** to the captioned for the following reasons:

- Part of the proposed area is zoned as "**Agriculture (AGR)**". The planning intention of this zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.
- It is noted that a similar application (A/NE-FTA/183) was **rejected** by the Board on 18 May 2018 with the following reason:

"(a) the proposed development is not in line with the planning intention of the "Agriculture" ("AGR") and "Other Specified Uses" annotated "Amenity Area" ("OU(A)") zones for the Fu Tei Au and Sha Ling and Fanling North areas, which are primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes; to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes; and to provide landscaping and planting to enhance the environment. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis;

(b) the applicant fails to demonstrate in the submission that the proposed development would not result in adverse traffic, landscape and environmental impacts on the surrounding areas; and

(c) the approval of the application will set an undesirable precedent for similar applications within the "AGR" and "OU(A)" zones. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area."

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- It can be observed from the Google Earth's aerial images that the proposed site has been destroyed and developed without receiving prior planning approval. We are concerned that the Town Planning Board may be rewarding **unauthorized development** and "**Destroy First, Development Later**" practices through the approval of captioned application.



December 2019

- The road network at Sheung Shui is subject to congestion. We are concerned that the approval of the application, which will bring over 120 private cars into the area, will further **worsen the congestion problem**, bringing negative impacts to other road users in Sheung Shui.
- There is **limited public transport access** to the proposed site. The nearest MTR station is 1 km away from the site. The public transport system may not support the increase in passenger numbers, causing inconvenience to other passengers and residents in the area.
- 上水食墟、Q market currently occupying the site have not received planning permission. The approval of the application will further legitimize unauthorized use of land and set an undesirable precedent to regularizing unlawful activities through planning applications.
- The approval of the application would set an undesirable precedent for other applications within the "Agriculture (AGR)" zone, and lead to a general degradation of the environment of the area.

Here we submit our concerns for your consideration.

Yours,
Designing Hong Kong Limited

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

200804-224525-02106

提交限期

Deadline for submission:

04/08/2020

提交日期及時間

Date and time of submission:

04/08/2020 22:45:25

有關的規劃申請編號

The application no. to which the comment relates:

A/FLN/22

「提意見人」姓名/名稱

Name of person making this comment:

女士 Ms. 劉女士

意見詳情

Details of the Comment :

1. 臨時商店及服務業會造成大量污水垃圾問題

此地本為農地設計，不能承受商店及服務業帶來之大量垃圾污水，結果很可能是商家把污水垃圾直接傾倒進梧桐河。該地又地處偏僻，即使食環署亦監控困難，現時實不適宜設立該種建築。另外，石湖新村公廁旁之垃圾站亦只是剛好足夠應付該村之垃圾，就算增大垃圾站規模亦會於該十字路口招惹更多老鼠蚊蟲，居民投訴將會無日無之。

2. 大型停車場會造成交通堵塞等問題

停車場必然會經過龍深路往梧桐河方向(尾段)，但此段道路卻不能支持停車場帶來的車流量，同時亦帶來嚴重交通安全問題。

現時龍深路往梧桐河方向(尾段)只有單線雙程行車，如興建容納百多架車的停車場，進出該停車場之車輛，包括大小貨車及旅遊巴將會與當地居民共用本來就狹窄的單線路，必然會令車流出入過大造成阻塞。

由於梧桐河邊本為休憩用地，多單車行人出入，如果加入大量車輛出入，人流車流會超出飽和，於奕翠園9座旁的路段更有大斜坡，現時大小車輛都飛馳下坡，一旦來往此處之大小車輛再增加，恐怕會更易釀成車禍，甚至危及途經踩單車的居民及郊遊市民。

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

200715-141916-62506

Reference Number:

提交限期

04/08/2020

Deadline for submission:

提交日期及時間

15/07/2020 14:19:16

Date and time of submission:

有關的規劃申請編號

A/FLN/22

The application no. to which the comment relates:

「提意見人」姓名/名稱

先生 Mr. 侯

Name of person making this comment:

意見詳情

Details of the Comment :

本人反對此計劃。

此計劃之實施，將會引發嚴重的交通擠塞問題。此計劃會吸引大量車流，但當地僅有一條馬路供奕翠園、安國新邨、華山村等屋苑居民駕車出入，實難以容納更多車輛，遑論計劃提及的旅遊巴等大型車輛。除上述屋苑外，鄰近的天平邨、安盛苑、皇府山等居民亦會受影響。

此計劃之實施，會對上水區之安寧與居民生活質素帶來難以預計之衝擊。水貨客及其衍生之問題已困擾上水多年，事實亦證明上水難以接待大量旅客。此計劃之實施，只會吸引更多人流進出上水，進而令上水的擠迫問題進一步惡化。再者，梧桐河一帶是上水為數不多保留不少自然景觀的休憩場所，是當地居民舒展減壓的重要場所。此計劃將破壞當地的景觀，甚至會損害或限制居民享用此地之權利。

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**參考編號**

200714-234523-11263

Reference Number:**提交限期**

04/08/2020

Deadline for submission:**提交日期及時間**

14/07/2020 23:45:23

Date and time of submission:**有關的規劃申請編號**

A/FLN/22

The application no. to which the comment relates:**「提意見人」姓名/名稱**

女士 Ms. 趙太

Name of person making this comment:**意見詳情****Details of the Comment :**

自從兩年前開始，該處空地已非法經營燒烤場。每當該燒烤場營業期間，例必播放歌曲又或有人唱卡拉OK。

本人住在該空地對面的屋苑(皇府山)。每次當該處營業時，都受到嘈音及氣味滋擾，只能關上露台門。在週五、週末或公眾假期前夕每每凌晨過後仍發出卡拉OK唱歌聲。該處空地四周都是空曠平地，聲音極易傳送到附近民居，難以想像該空地改建後，附近居民定必全日受到滋擾。懇請勿更改原有“休憩用地”之土地用途。



嘉道理農場暨植物園公司
Kadoorie Farm & Botanic Garden Corporation

The Secretary,
Town Planning Board,
15/F, North Point Government Offices,
333, Java Road, North Point,
Hong Kong.
(Email: tpbpd@pland.gov.hk)

20th April, 2021.

By email only

Dear Sir/ Madam,

Temporary Shop and Services and Place of Entertainment for a Period of 3 Years
(A/FLN/22)

1. We refer to the captioned.
2. According to the gist, there would be 'Agricultural Rehabilitation Area' and 'Green House Organic Farm (溫室有機種植場)' in the northern part of the site (the part to the north of Ng Tung River), which are within Agriculture (AGR) zone. We would like the Board to investigate with relevant authorities as to whether the above uses are always permitted in AGR zone.
3. We would also like the Board to investigate with relevant authorities as to whether the approval of this application would allow any changes of uses in the northern part of the site within the 3-year period (i.e., from 'Agricultural Rehabilitation Area' and/ or 'Green House Organic Farm (溫室有機種植場)' to other uses which fit the definition under 'Temporary Shop and Services and Place of Entertainment').
4. Thank you for your attention.

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden



Advisory Clauses

- (a) to note that the Sites might be resumed at any time during the planning approval period for implementation of Government projects.
- (b) the permission is given to the development under application. It does not condone any other development which currently exists on the Sites but not covered by the application. The applicants should be requested to take immediate action to discontinue such development not covered by the permission.
- (c) to note the comments of the District Lands Officer/North, Lands Department (DLO/N of LandsD) that:
 - (i) the application lots are Old Schedule Lots held under the Block Government lease (demised for agriculture use) without any guaranteed right of access. The applicants should make its own arrangement for acquiring access, and there is no guarantee that any adjoining GL will be allowed for the vehicular access of the proposed use;
 - (ii) the existing structures on the Site are not acceptable under the Leases concerned. His office reserves the right to take enforcement actions against the aforesaid structures;
 - (iii) the GL adjoining the Site is being occupied without consent from his office. The applicants should cease occupation of the GL concerned. His office reserves the right to take enforcement action against the illegal occupation of GL;
 - (iv) the Site includes Civil Engineering and Development Department (CEDD)'s works area (GLA-TDN 4444) (**Plan A-2**). The applicants have to exclude the GL covered by the GLA concerned from the Site;
 - (v) with reference to the development schedule provided by the applicant, the ingress and egress of Site A fall within the boundary of GLA-TDN 4444 allocated to CEDD (**Plan A-2**). The applicants have to seek advice from CEDD;
 - (vi) with reference to the development schedule provided by the applicant, the application boundary of Site B includes some GL which is for greening or Government, Institution or Community (G/IC) uses. The applicants are advised to exclude the GL concerned from the application boundary;
 - (vii) according to the proposed development, mobile toilets would be erected on the Site. The applicants should note that any proposed toilet facilities should meet current health requirements;
 - (viii) planning permission for temporary shop and services (fast food shop) at Lots 539, 541 and 542 in D.D. 51 has been granted under Application No. A/FLN/20 (**Plan A-1**) for a period of 3 years until 13.12.2022;
 - (ix) land search records indicated that Warning Letters have been registered against Lots Nos. 532 RP, 533 RP, 534 RP, 541, 542 & 544 all in D.D. 51 (**Plan A-2**); and

- (x) the owners of the lots concerned shall apply to his office for a Short Term Waiver (STW) and Short Term Tenancy (STT) covering all the actual occupation area. The application for STW and STT will be considered by Government in its landlord's capacity and there is no guarantee that they will be approved. If the STW and STT are approved, their commencement date would be backdated to the first date of occupation and they will be subject to such terms and conditions to be imposed including payment of waiver fee/rent and administrative fees as considered appropriate by his office.
- (d) to note the comments of the Commissioner for Transport (C for T) that the vehicular access (i.e. the unnamed local track) between the Sites and Lung Sum Avenue is not managed by Transport Department (TD). The applicants should seek comment from the responsible party.
- (e) to note the comments of Director of Environmental Protection (DEP) that:
 - (i) all wastewater shall be collected in underground tanks and disposed off-site regularly by pump truck at regular interval, so that no effluent will be discharged into the adjacent Ng Tung River; and
 - (ii) the applicants shall follow the relevant mitigation measures and requirement in the revised "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" to minimize any potential environmental nuisance.
- (f) to note the comments of Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):
 - (i) the applicants shall avoid disturbing any vegetation within the ecological mitigation woodland (**Plan A-3**) maintained by his department for the public project *Main Drainage Channels for Fanling, Sheung Shui and Hinterlands*; and
 - (ii) precautionary measures to avoid any disturbance and pollution to the watercourse nearby (including the Ng Tung River) shall be provided.
- (g) to note the comments of the Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) that approval of the planning application does not imply approval of tree works such as pruning, transplanting and felling under lease. Tree removal applications should be submitted to DLO/N of LandsD direct for approval.
- (h) to note the comments of the Project Manager/North, Civil Engineering and Development Department (PM/N, CEDD) that part of Site A falls within an area temporarily allocated to CEDD from 1.1.2021 to 30.6.2024 under Simplified Temporary Land Allocation (STLA) GLA-TDN 4444 (**Plan A-2**) as works area for Fanling Bypass Eastern Section under Contract No. ND/2019/04. The said STLA site, which mainly lies within the boundary of the FLN NDA Remaining Phase project, would be cleared and handed over to CEDD for the implementation of FLN NDA in mid-2024.
- (i) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:

General Requirements of the Drainage Submission

- (i) surface channels with grating covers should be provided along the site boundary;
- (ii) a drainage plan should be provided clearly showing 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;
- (iii) the cover levels of proposed channels should be flush with the existing adjoining ground level;
- (iv) A catchpit with covers should be provided where there is a change of direction of the channel/drain. The details of the catchpit (CEDD Standard Drawing No. 2405) shall be provided;
- (v) catchpits with sand trap shall be provided at the outlets of the proposed drainage system. The details of the catchpit with sand trap (CEDD Standard Drawing No. 2406) should be provided;
- (vi) the applicants 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. He should also ensure that the flow from this site will not overload the existing drainage system;
- (vii) the applicants are 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 DSD, unless justified not necessary;
- (viii) if the existing drainage facilities to which the applicants proposed to discharge the storm water from the subject site are not maintained by DSD, the applicants should identify the owners of the existing drainage facilities to which the proposed connection will be made and obtain consent from the owners prior to commencement of proposed works;
- (ix) the applicants are reminded that all existing flow paths as well as the run-off falling onto or passing through the Sites should be intercepted and disposed of via proper discharge points. The applicants 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;
- (x) the proposed drainage works, whether within or outside the Sites boundary, should be constructed and maintained properly by the applicants who should also rectify the system if it is found to be inadequate or ineffective during operation, all at his/her own expense;

- (xi) for works to be undertaken outside the lot boundary, the applicants should obtain prior consent and agreement from DLO/N of LandsD and/or relevant private lot owners;
- (xii) the applicants should make good all the adjacent affected areas upon the completion of the drainage works;
- (xiii) the applicants shall allow all time free access for the Government and its agent to conduct site inspection on his completed drainage works;
- (xiv) 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;
- (xv) clear photos should be submitted showing the current conditions of the existing drainage from the proposed discharge point(s) to the downstream and the existing drainage/flowpath around the Sites;

Others

- (xvi) the Sites are in an area where no public sewer connection is available; and
 - (xvii) the applicants shall ensure that no DSD's existence maintenance access for the Ng Tung River (**Plan A-2**) would be affected by the proposed development. The existing track road at the southern bank of Ng Tung River will be taken over by DSD for exclusive use as maintenance access, and the applicants shall note that no public access shall be allowed via this existing track road.
- (j) to note the comments of Chief Engineer/New Territories East, Water Supplies Department (CE/NTE, WSD) that:
- (i) existing water mains are inside the subject lot and would be affected. The applicants is required to either divert or protect the water mains found on site;
 - (ii) if diversion is required, existing water mains inside the subject lot are needed to be diverted outside the site boundary of the proposed development to lie in Government land. A strip of land of 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 will have to be borne by the grantees/applicants; and the applicants shall submit all the relevant proposal to WSD for consideration and agreement before the works commence; and
 - (iii) if diversion is not required, the following conditions shall apply:
 - (a) existing water mains are affected 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 (DWS) for approval prior to commencement of works;

- (c) no structures shall be built or materials stored within 1.5 metres from the centre line(s) of water main(s). Free access shall be made available at all times for staff of DWS 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). No change of existing site condition may be undertaken within the aforesaid area without the prior agreement of DWS. Rigid root barriers may be required if the clear distance between the proposed tree and the pipe is 2.5 metres 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 1.5 metres around the cover of any valve or within a distance of 1 metre from any hydrant outlet; and
- (f) tree planting may be prohibited in the event that DWS considers that there is any likelihood of damage being caused to water mains.

(k) to note the comments of Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- (i) if the existing structures are erected on leased land without approval of the Building Authority (BA) (not being a New Territories Exempted House), they are unauthorized under the Buildings Ordinance (BO) and should not be designated for any approved use under the application;
- (ii) for UBW erected on leased land, enforcement action may be taken by BA to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Sites under the BO;
- (iii) before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Sites, prior approval and consent of the BA should be obtained, otherwise they are unauthorized building works (UBW). An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO;
- (iv) any temporary shelters or converted containers are considered as temporary buildings are subject to the control of Part VII of the Building (Planning) Regulation;
- (v) the Sites shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations respectively;
- (vi) the Sites do not abut on a specified street of not less than 4.5m wide, and the development intensity shall be determined by the Building Authority under Building (Planning) Regulation 19(3) at building plan submission stage; and

- (vii) formal submission under the BO is required for any proposed new works, including any temporary structures. Detailed comments under BO will be provided at the building plan submission stage.

(l) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the proposal, fire service installations are anticipated to be required. Therefore, the applicants are advised to submit relevant layout plans incorporated with the proposed fire service installations to his department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed fire service installations to be installed should be clearly marked on the layout plans. The applicants are reminded that if the proposed structure(s) is required to comply with the BO, detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

(m) to note the comments of Director of Food and Environmental Hygiene (DFEH):

- (i) proper licence/permit issued by Food and Environmental Hygiene Department (FEHD) is required if there is any food business/catering service/activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public. Under the Food Business Regulation, Cap. 132X, a food business licence is required for the operation of the relevant type of food business listed in the Regulation. For any premises intended to be used for food business (e.g. a restaurant, a food factory, a fresh provision shop), a food business licence from the FEHD in accordance with the Public Health and Municipal Services Ordinance (Cap. 132) shall be obtained. The application for licence, if acceptable by the FEHD, will be referred to relevant Government departments such as the BD, FSD and PlanD for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicants for compliance and the licence will be issued upon compliance of all the requirements;
- (ii) any person who desires to keep or use any place of public entertainment, for example a theatre and cinema or a place, building, erection or structure, whether temporary or permanent, on one occasion or more, capable of accommodating the public presenting or carrying on public entertainment within Places of Public entertainment (PPE) Ordinance (Cap. 172) and its subsidiary legislation, such as a concert, opera, ballet, stage performance or other musical, dramatic or theatrical entertainment, cinematograph or laser projection display or an amusement ride and mechanical device which is designed for amusement. A Place of Public Entertainment Licence (or Temporary Place of Public Entertainment Licence) should be obtained from FEHD whatever the general public is admitted with or without payment;
- (iii) depending on the mode of operation, generally there are several types of food business licence/permits that the operator of a store may apply for under the Food Business Regulation:
 - (a) if food is sold to customers for consumption on the premises, a restaurant licence should be obtained;

- (b) if food is only prepared for sale for consumption off the premises, a food factory licence should be obtained;
 - (c) if fresh, chilled or frozen meat is sold, a fresh provision shop licence should be obtained;
 - (d) if milk, frozen confections, non-bottled drinks, cut fruit etc. are to be sold, relevant restricted food permits should be obtained; and
- (iv) the operators of related shop or store should take measures to prevent the existence of nuisance such as noise nuisance, pest nuisance and accumulation of refuse at the Site. The refuse generated by the proposed shop or store are regarded as trade refuse. The management or owner of the Sites is responsible for its removal and disposal at their expenses. The operation of any business should not cause any obstruction or environmental nuisance in the vicinity.

