

Proposed Temporary Open Storage of Containers and Vehicle Repair Workshop and Ancillary Facilities For a Period of 3 Years and Filling of Land and Pond at the Remaining Portion (RP) of 342 (Part) and RP of 343 in Demarcation District (D.D.) 87, North New Territories, Hong Kong

Responses to Comments from Government Departments via Planning Department's email from 11.06.2024 to 19.06.2024 on the Planning Application No. A/NE-FTA/245 issued on 10.05.2024

Comments on Supplementary Information		
Comments from the Chief Engineer/Mainland North (Ch Engr/North 2) for Drainage Services Department (DSD) via Planning Department's email on 11.06.2024; Contact Person: Mr. Samuel WANG (Tel: 2300 1135)		
Item	Comments	Responses
SI – DSD1	Unless the applicant can submit satisfactory stormwater drainage and site formation proposals to demonstrate that there would be adequate measures provided at the resources of the applicant to ensure capacity of existing streamcourse/water pond and flooding susceptibility of the adjoining areas would not be adversely affected by the proposed development and to avoid the site from being flooded, I do not support the application since the application site encroaches upon existing ponds within the site area.	After discussion with Drainage Services Department (DSD) on 20.6.2024, an area of about 15m X 25m X 2.5m would be reserved for a water tank to store storm water to be expelled at a later time to the local drainages. The Applicant is willing to carry-out a drainage and site formation proposal as a planning approval condition once approved.
SI – DSD2	The applicant should be reminded to minimize the possible adverse environmental impacts on the existing streamwater/water pond in his design and during construction.	Noted with thanks.
Comments from the Chief Town Planner/Central Enforcement and Prosecution (Ch Town Plnr/Enforcement 13) for Planning Department (PlanD) via Planning Department's email on 11.06.2024; Contact Person: Ms. Cyrus CHOW (Tel: 2158 6214)		
Item	Comments	Responses
SI – PlanD1	The application site is subject to planning enforcement action (No. E/NE-FTA/199). Reinstatement Notice was issued on 25.4.2024 requiring the reinstatement of the concerned land. If the notice is not complied with, the Planning Authority will consider to instigate prosecution action.	Noted with thanks.

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Comments from the Chief Town Planner/Urban Design & Landscape (Ch Town Plnr/UD&L) for Planning Department (PlanD) via Planning Department's email on 11.06.2024;

Contact Person: Ms. Catrina Chan (Tel: 3565 3953)

Item	Comments	Responses
SI – PlanD2	<p>With reference to DPO's site photos taken on 29.12.2023 and our site record taken on 11.1.2024, the site is mostly vacant. A pond is observed at the eastern portion within the site and some trees are observed at the north western periphery of site including 1 no. of undersized protected species, <i>Aquilaria sinensis</i>. According to Figure 1.1 and Para. 2.6.1 of the Planning Statement, some trees are observed at the north western periphery outside the site and no trees is observed within the site boundary. No tree felling is required for the proposed development. Significant adverse impact on the existing landscape resources within the application site arising from the proposed use is not anticipated.</p> <p>Based on the aerial photo of 2023, the site is located in an area of miscellaneous rural fringe landscapes landscape character comprising of farmlands, temporary structures, vegetated areas, cluster of trees and woodlands to the west and north within the "GB" zone. There is a concern that approval of the application may further alter the landscape character and degrade the landscape quality of the "AGR" zone.</p>	<p>Noted.</p> <p>The Proposed Development will not involve the felling of trees and will be self-contained and enclosed with a fence surrounding the Site to minimise the impact to the surrounding. The Site with an area of 0.306 hectare, representing less than a quarter percent of the OZP agriculture zone which is minor in nature.</p> <p>The above landscape proposal complies with the Landscape Proposal set out in the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No.13G).</p>

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Comments from the Director of Agriculture, Fisheries and Conservation for Agriculture, Fisheries and Conservation Department (AFCD) via Planning Department's email on 11.06.2024;
Contact Person: Ms. Chole Ng (Tel: 2150 6931)

Item	Comments	Responses
From agricultural perspective		
SI – AFCD1	<p>The subject site falls within the “AGR” zone and is generally vacant or abandoned. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available.</p> <p>The subject site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc. As the subject site possesses potential for agricultural rehabilitation, the proposed development is not supported from agricultural perspective.</p>	<p>Noted.</p> <p>The Site falls within a Category 2 Area as set out by the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No.13G). The intention for Category 2 Areas is to provide for the rational development of open storage, provided that the proposed use would not have adverse drainage, traffic, visual, landscaping, and environmental impacts on the surrounding areas. Given the above, planning permission could be granted on a temporary basis up to a maximum period of 3 years.</p>
From fisheries perspective		
SI – AFCD2	<p>Pond filling is generally not recommended from a fisheries viewpoint. Although the fish pond is currently of unknown status, it has the potential to be used for fish culture operations in the future. As such, the application is not supported from a fisheries viewpoint.</p>	<p>The Site falls within a Category 2 Area as set out by the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No.13G). The intention for Category 2 Areas is to provide for the rational development of open storage, provided that the proposed use would not have adverse drainage, traffic, visual, landscaping, and environmental impacts on the surrounding areas. Given the above, planning permission could be granted on a temporary basis up to a maximum period of 3 years.</p>

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<u>From nature conservation perspective</u>		
SI – AFCD3	It is noted the site is the subject of the previous application No. A/NE-FTA/237. Our recent site inspection reveals that the subject site is covered by common shrubs and weeds, with an existing pond located within the subject site. As filling of ponds is generally not recommended from nature conservation perspective, we have reservation on the subject application.	The Site falls within a Category 2 Area as set out by the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No.13G). The intention for Category 2 Areas is to provide for the rational development of open storage, provided that the proposed use would not have adverse drainage, traffic, visual, landscaping, and environmental impacts on the surrounding areas. Given the above, planning permission could be granted on a temporary basis up to a maximum period of 3 years.
Comments from the Commissioner for Transport (C for T) for Transport Department (TD) via Planning Department's email on 13.06.2024; Contact Person: Mr. Eric Tam (Tel: 2399 2405)		
<u>Comments on Traffic Impact Assessment (TIA)</u>		
Item	Comments	Responses
SI – TD 1	The applicant should advise and substantiate the traffic generation from and attraction to the vehicle repair workshop within the site.	Trip generation were estimated based on the existing operation on the Current Site. Since the Site's area is approximately 10% of the Current Site, it is assumed that the development traffic will be 2 vehicles per hour (6pcu/hour) of one-way or 4 vehicles per hour (12pcu/hour) of two-way. Among these traffic generations, 5-10% of vehicles may need to visit the repair workshop, which maybe 1 to 2 vehicles in a whole day.
SI – TD 2	The applicant shall illustrate on a layout plan, and justify the adequacy of the parking spaces and loading/unloading spaces so provided by relating to the number of vehicles visiting the subject site. The applicant shall provide justifications on no parking and no loading/unloading spaces are provided for the use of the vehicle repair workshop.	A layout plan of Drawing 1 and 2 in Attachment 1 of this Response to Comment (RtoC) illustrated the swept path of the open storage. Each vehicle shall load and unload in the site within 20min time. If the vehicle shall use the repair workshop, it will stay for 1-2 hours within the workshop area to avoid obstructing the loading/unloading activities. With the trip generation stated in SI-TD1 above, the available area is able to cater the short period of vehicles stopping in the site.

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SI – TD 3	The applicant should advise the width of the vehicular access leading to the site.	Drawing 3 in Attachment 1 of this RtoC shows the width of the vehicular access is 10.56m wide.
SI – TD 4	The applicant shall demonstrate the satisfactory maneuvering of the vehicles entering and exiting the subject site, maneuvering within the subject site and into/out of the parking and loading/unloading spaces, preferably using the swept path analysis.	Drawing 1 and 2 in Attachment 1 of this RtoC shows the swept path analysis for those mentioned vehicle movements.
SI – TD 5	The applicant shall advise the provision and management of pedestrian facilities to ensure pedestrian safety.	To ensure pedestrian safety, additional marking, signage, and convex mirror is proposed along the access road to the site as shown in Drawing 3 in Attachment 1 of this RtoC.
SI – TD 6	The applicant shall advise the measure in preventing illegal parking by visitors to the subject site.	A vehicle gate is shown in latest layout to prevent illegal parking by visitors.
SI – TD 7	The vehicular access between Man Kam To Road and the application site is not managed by TD. The applicant should seek comments from the responsible party.	Noted.

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Comments from the Director of Environmental Protection for the Environmental Protection Department (EPD) via Planning Department's email on 19.06.2024;
Contact Person: Ms. CC CHANG (Tel: 2835 1867)

Item	Comments	Responses
SI – EPD 1	Does not support the application from environmental perspective as there are sensitive receivers, i.e. residential dwellings /structures located in the vicinity of the Site (the nearest one at about 2m to the south) and the proposed use involves the use of heavy vehicles, environmental nuisance is expected; and	<p>The Site falls within a Category 2 Area as set out by the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No.13G). The intention for Category 2 Areas is to provide for the rational development of open storage, provided that the proposed use would not have adverse drainage, traffic, visual, landscaping, and environmental impacts on the surrounding areas. Given the above, planning permission could be granted on a temporary basis up to a maximum period of 3 years.</p> <p>Furthermore, the Proposed Development would make reference to the Noise Section of the Environmental Protection Department's Code of Practice on Handling Environmental Aspects of Temporary Uses & Open Storage Sites (2005) by using an enclosed perimeter fence and avoiding any noisy operations during sensitive hours (i.e., 11 pm to 7 am) in order to minimize the noise impact as much as practicable.</p>
SI – EPD 2	One substantiated environmental complaint regarding disposal of C&D waste was received in 2023	Noted.