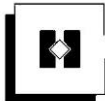




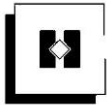
Section 16 Planning Application No. A/NE-LYT/835

Annex 1 - Response to Departmental Comments Table

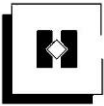
No.	Comments Received	Our Responses
A. Comments from Lands Department (Contact Person: Mr. CHOW Wai Choi, Tel: 2675 1521)		
1.	The application site (the Site) comprises Old Schedule Agricultural Lot held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. No right of access via Government land (GL) is granted to the Site.	Noted.
2.	This office has not received any Letter of Approval ('LoA') application nor referral from the Agricultural, Fisheries and Conservation Department (AFCD).	Please refer to the Supporting Planning Statement (SPS). Application for 'Letter of Approval for Agricultural Structures' ('LoA') will follow upon approval of the captioned application.
3.	If the planning application is approved, the applicant will need to apply to AFCD under the New One Stop approach for an LoA to permit agricultural structure(s) to be erected within the said private lot and for the Certificates of Exemption ('CoE') prior to the commencement of the works. Unless and until the LoA is granted, the greenhouse and solar panels are not permitted.	Please refer to the SPS. Application for 'Letter of Approval for Agricultural Structures' ('LoA') and 'Certificate of Exemption' ('CoE') will be submitted in the subsequent stage.
4.	The applications for the LoA and the CoE will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The LoA and the CoE, if approved, will be subject to such terms and conditions as considered appropriate by LandsD. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered.	Noted.
5.	The submission is silent upon the design and specifications of the proposed rooftop solar panels. Unlike standard photovoltaic (PV) system erected or installed as per the requirements specified by the Building Department (BD) atop an NTEH-type	Detail design of the ancillary rooftop solar panels will be prepared by technical expert upon the construction of greenhouse is completed. The applicant will take note to ensure the solar panels



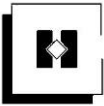
No.	Comments Received	Our Responses
	village house that is built in accordance with the standards and specifications stipulated under the Buildings Ordinance (Application to the New Territories) Ordinance, the structural/mechanical and electrical/fire safety of the proposed solar panels and the connecting greenhouse is a crucial concern.	will not exceed the height restriction as required in the LoA at the detail design stage.
6.	According to para. 3.4.1 of the Supporting Planning Statement, the proposed solar panels will be connected to the existing power network of CLP Power Hong Kong Limited under the Feed-in Tariff (FiT) Scheme which promotes the development of renewable energy (RE). It appears the electricity-generated is not for the sole use of the Site, which is in contrary to the applied use under the current application. Please clarify.	The electricity generated by the ancillary solar panels will mainly use to serve the cultivation of mushrooms. Relevant part of the planning statement has been revised and attached as Attachment 1 .
7.	For the installation of the proposed rooftop solar panels, the applicant should observe relevant requirements and seek prior approval from relevant authority or authorities (where necessary) before the commencement of works.	Noted, the applicant will observe relevant requirements and seek prior approval from relevant authority or authorities before the commencement of works.
8.	The applicant should comply with all the land filling requirements imposed by relevant Government departments. GL should not be disturbed unless with prior approval.	Noted.
B. Comments from Transport Department (Contact Person: Mr. LAM To Lun, Jeffrey, Tel: 2399 2549)		
1.	The applicant should advise and substantiate the traffic generation and attraction from and to the Site and the traffic impact to the-nearby road links and junctions.	Well noted with thanks. Based on the latest proposal, as the proposed use is mainly to serve the applicant who lives nearby the Site, no vehicle will be used and no parking space will be provided. Please see the revised layout plan at Annex 1 and the updated supporting planning statement.
2.	The applicant should advise the dimensions of the driveway in the Site and the width of the vehicular access leading to the Site.	
3.	The applicant should indicate the location of the vehicular entrance to the Site and demonstrate that it is adequate for vehicle access.	
4.	The applicant shall use swept path analysis to demonstrate the satisfactory maneuvering of vehicles entering to and exiting	



No.	Comments Received	Our Responses
	from the Site, maneuvering within the Site and into/out of the parking spaces.	
5.	The applicant shall use swept path analysis to demonstrate the satisfactory maneuvering of vehicles entering to and exiting from the Site, maneuvering within the Site and into/out of the parking spaces.	
6.	The applicant shall advise the provision and management of pedestrian facilities to ensure pedestrian safety.	
7.	The vehicular access between the Site and Sha Tau Kok Road is not managed by TD. The applicant should seek comment from the responsible party.	
8.	Upon receipt of further information, TD may offer further comments on the application.	Noted.
<p>C. Comments from Planning Department (Contact Person: Mr. NGAN Pak Lun, Peter, Tel: 2158 6094)</p>		
1.	<p><u>Development Proposal</u> Noting that part of the application site (the Site) (i.e. 422m² or about 51% of the Site) is proposed to be filled with concrete of not more than 0.2m in depth (para 2.5.2 of the planning statement refers), the applicant should supplement on the justification(s) for the necessity of filling of land for the permitted agricultural use at the Site. In particular, please advise if the agricultural structure (i.e. greenhouse) can be erected at the Site without filling of land as currently submitted.</p>	<p>The Site will involve mushroom farming. As mushrooms are highly sensitive to changes in their environment, maintaining a consistent level of humidity is critical for their development. The proposed greenhouse will be fully enclosed with controlled-environment facilities. The proposed filling of land is essential to form the foundation of the greenhouse, as well as to provide insulation layer to the greenhouse to ensure the greenhouse is fully enclosed and provide suitable environment for cultivation of mushrooms.</p> <p>Relevant part of the planning statement has been revised and attached as Attachment 1.</p>
2.	The applicant shall be reminded that the current application is for proposed filling of land for permitted agricultural uses with ancillary solar panels at the Site. The greenhouse structure to be erected should form part of the current application. Please	Noted. Relevant parts of the planning statement and application form have been revised and attached as Attachments 1 and 2 .



No.	Comments Received	Our Responses
	review the relevant description in para. 2.5.1 of the planning statement.	
3.	While the applicant advises that the solar panels on the rooftop of the greenhouse should be considered as 'ancillary use' as the electricity generated will be used solely for the operation of the permitted agricultural use (i.e. greenhouse) (para. 2.6.1 and 3.4.2 refers), it is also stated that the solar panels will be connected to existing electricity network of CLP under the 'Renewable Energy Feed-in Tariff Scheme' for selling the renewable energy to CLP (para. 3.2.2 to 3.2.3, 3.4.1 & 4.7.1 of planning statement refers). Please clarify the nature of the solar panels under the current planning application, and revise the relevant content of planning statement as appropriate.	<p>Comment noted. The ancillary solar panels will mainly use to serve the operation of the greenhouse.</p> <p>Relevant part of the planning statement has been revised and attached as Attachment 1.</p>
4.	Further to the comments from Transport Department, please clarify/supplement on the traffic means or logistic arrangement for the agricultural activities upon commencement of the development proposal.	Based on the latest proposal, as the proposed use is mainly to serve the applicant who lives nearby the Site, no vehicle will be used and no parking space will be provided.
5.	Please clarify/supplement on the operation mode of the greenhouse, i.e. whether it is a small-scale agricultural use serving the local community (para. 2.6.5 of planning statement refers) or a large-scale commercial agricultural development for profitmaking (para. 4.3.1 of planning statement refers). If the former is the case, please review the relevant contents in the planning statement (i.e. para. 3.2.1 and 4.3.1).	The greenhouse will be a small-scale agricultural use serving the local community. Relevant part of the planning statement is revised and attached as Attachment 1 .
6.	Please provide a brief description on the labour(s)/staff(s) to be involved in the operation of greenhouse at the Site (e.g. number of labour(s)/staff(s) to be involved during daily operation, number of labour(s)/staff(s) to be stayed overnight (if any) etc.)	The proposed greenhouse at the Site will be solely operated by the applicant and no staff will be involved.
7.	<u>Completion Time of the Development Proposal</u>	



No.	Comments Received	Our Responses
	Please advise whether the completion time as stated in Part 7 of Application Form refer to 'filling of land' or the whole development (i.e. erection of greenhouse at the Site). If the former is the case, please briefly advise the implementation schedule of the whole development.	In view that approval of LoA and CoE is required to commence the construction of greenhouse, the anticipated completion time of the development will be end of 2027. Relevant part of the application form is revised and attached as Attachment 2 .
8.	The applicant should note to the comments from the Lands Department regarding the application for 'Letter of Approval for Agricultural Structures' ('LoA') and 'Certificate of Exemption' ('CoE') in the subsequent stage (para 2.2.2 refers).	Please refer to the SPS. Application for LoA and CoE will be submitted in the subsequent stage.
9.	It is stated that 'the proposed drainage system would improve the existing drainage condition by diverting the flow away from the adjacent lot' (para 4.8.1 refers of planning statement). Given that a drainage proposal is yet to be submitted at this stage, please kindly review the relevant paragraph in the planning statement.	Comment noted. Relevant part of the planning statement has been revised and attached as Attachment 1 .