

Responses-to-Comments

Proposed Temporary Open Storage of Construction Materials, Construction Machineries and Vehicles with Ancillary Facilities for a Period of 3 Years and Associated Filling of Land and Pond and Excavation of Land in “Green Belt” Zone and area shown as ‘Road’, Various Lots in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long, New Territories

(Application No. A/YL-HTF/1168)

- (i) A revised layout plan and swept path analysis are provided (**Plans 1 and 4**).
- (ii) The proposed development is intended to facilitate the relocation of business premises affected by the second phase of the Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA) development. The applicant has been operating their open storage businesses in Hung Shui Kiu since the early 1990s (**Annex I and Plan 3**). According to the current scheme of the affected premises, the premises occupied an area of 43,570m² (about).
- (iii) The proposed development involves of open storage (construction materials, construction machineries and vehicles) with ancillary facilities (i.e. site office, washroom and meter room) to support the daily operation of the application site (the Site). The applied use is the same as the affected business premises in Hung Shui Kiu, which will be resumed and reverted to the Government (i.e. about 43,570m²).
- (iv) A RtoC Table:

| Departmental Comments | Applicant’s Responses |
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| 1. Comments of Geotechnical Engineering Office/Civil Engineering and Development Department (GEO, CEDD) (Contact Person: Mr. Celia YANG; Tel: 2762 5372) | |
| (a) The subject site is overlooked by steep natural terrain and meets the alert criteria for a natural terrain hazard study (NTHS). The applicant is required to submit a Geotechnical Planning Review Report (GPRR) in support of the planning application. The GPRR should include a preliminary geotechnical review of the natural terrain hazards, assess the geotechnical feasibility of the proposed development, and where necessary, indicate the recommended extent of the NTHS study area and a commitment to undertake the NTHS and to carry out any necessary mitigation measures as part of | Please note that a revised layout plan is provided to indicate the inclusion of the “no-build” zone within the Site (Plans 1 and 2). No structure or critical facilities will be erected within the designated “no-build” zone to ensure that no adverse geotechnical problems will be generated from the proposed development. |

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| | the proposed development. Other essential contents of a GPRR are given in the attached GEO advice Note (Annex 1). | |
| (b) | Given the temporary nature and the proposed use as open storage of the subject site, the requirement for NTHS study might make the case not economically viable. As an alternative, part of the subject site (as indicated in Annex 2) may be designated as a “no-build” zone, within which no critical facilities should be located. In particular, the proposed site offices should be located away from the “no-build” zone. With the inclusion of the “no-build” zone, the requirement for NTHS may be waived. | |
| 2. Comments of Director of Agriculture, Fisheries and Conservation Department (DAFC) (Contact Person: Dr. Azaria K.Y. WONG; Tel: 2150 6932) | | |
| (a) | The subject site falls within the “GB” zone and is generally vacant with part of the site being used for farming. The agricultural activities are very 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 the subject site possesses potential for agricultural rehabilitation, the proposed development is not supported from agricultural perspective. | Although the Site falls within area zoned as “GB”, the Site is currently vacant and occupied by some temporary structure. The proposed use is considered not incompatible with surrounding land uses which is dominated by open storage yards, logistic centre and warehouse uses across Kong Sham Western Highway. In addition, the proposed development is intended to facilitate the relocation of the applicant’s affected business premises in Hung Shui Kiu due to land resumption to pave way for the development of HSK/HT ND, the special background of the application should be considered on individual merit and approval of the current application would not set an undesirable precedent within the “GB” zone. |
| (b) | Pond filling is generally not recommended from a fisheries viewpoint. Although the fish pond in the application site 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. | |

| 3. Comments of Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) (Contact Person: Ms. Vicky SY; Tel: 2300 1347) | | |
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| (a) | The ground to the east of the access road of the application site is significantly higher. Since the overland flow from the adjacent lands shall be probably intercepted, external catchment shall be considered in the calculation. | <p>Please refer to the revised drainage impact assessment (Annex II).</p> <p>The proposed site access road level is 23.0 mPD. The ground to the east of the road is also included in the runoff estimation. The revised external catchment is shown in Appendix B and the corresponding capacity checking are updated accordingly in Appendix C and D.</p> |
| (b) | Please indicate clearly the full alignment of the discharge path from the application site all the way down to the ultimate discharge point (e.g. a well-established stream course/public drainage system). | The discharge point is located at the Northern part of the site. A 1200mm pipe is proposed to discharge the surface runoff generated from the site and external catchment to the existing stream course. Please refer to the revised drawing no. DIA3 in Appendix A . |
| (c) | The existing watercourse, to which the applicant proposed to discharge the stormwater from the subject site was not maintained by this office. The applicant should identify the owner of the existing drainage facilities and shall demonstrate that the drainage facilities can be practicably implemented and maintained on site. In the case that it is a local village drains, DO(YL) should be consulted. | <p>Noted. The applicant would identify the owner of the existing drainage facilities and shall demonstrate that the drainage facilities can be practically implemented and maintained on site.</p> <p>DO(YL) would be consulted if local village drain(s) is affected.</p> |
| (d) | Further to (iii) above, since there is no record of the said discharge path, please provide site photos to demonstrate its presence and existing condition. | Photo records of the existing watercourse are enclosed in Appendix F for your information. |
| (e) | Proper legend should be given to Drawing No. DIA 3. It is difficult to determine which is U channel and pipes. Furthermore, please provide proposed site formation plan to verify the flow direction. | Proposed site formation, Drawing No. PLAN 11 is enclosed in Appendix A for your information. The legends of Drawing No. DIA3 are refined and updated in Appendix A . |

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| (f) | For channel capacity checking, it is noted that 900U capacity is checked. However, the surface runoff with combined catchment exceeds the capacity. Please review. | The estimated runoff generated from Proposed Site Catchment (B1) + External Catchment (C1) is 133737 L/min as shown in Appendix B . The channel capacity has been reassessed to include the external catchment mentioned in (i) above. 900UC is sufficient to cater the combined catchment in the site and external catchment. |
| (g) | The applicant claimed that the existing watercourse is 6m wide. However, the stream ultimately discharged to a 2.5m wide engineered channel. Therefore, the hydraulic checking is not picking the critical location and may have adverse effect on downstream. Please review. | The hydraulic checking is revised to check the 2.5m wide engineered channel. The 2.5m wide engineered channel is sufficient to cater the runoff in 50 year return period. Please kindly refer to revised calculation in Appendix D . |
| (h) | Consideration should be given to provide grating for the surface channels. | Precast concrete slabs would be provided for the surface channel. Standard drawings No. C2412E (Enclosed in Appendix E) is referred. |
| (i) | The cover levels and invert levels of the proposed u-channels, catchpits/sand traps should be shown on the drainage plan. | The cover levels and invert levels of the u-channel, catchpits/sand trap are shown on the revised drawing no. DIA3 in Appendix A . |
| (j) | Cross sections showing the existing and proposed ground levels of the site with respect to the adjacent areas should be given. | Cross sections showing the existing and proposed ground levels of the site with respect to the adjacent areas are given in DIA4 in Appendix A . |
| (k) | Standard details should be provided to indicate the sectional details of the proposed u-channel and the catchpit/sand trap. | The standard details indicating the sectional details of proposed u-channel are shown in engineering drawing no. SC1 in Appendix E and the section details of catchpit and sand trap are shown in Standard Drawing Nos. C2405 – C2407. |
| (l) | Where walls or hoarding are erected are laid along the site boundary, adequate opening should be provided to intercept the existing overland flow passing through the site. | Noted. |

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| (m) | The development should neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc. | Noted. |
| (n) | The applicant should consult DLO/YL and seek consent from the relevant owners for any drainage works to be carried out outside his lot boundary before commencement of the drainage works. | Noted. DLO/YL's consent would be seek from the applicant before carrying out the corresponding drainage works. |
| 4. Comments of District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) (Contact Person: Mr. W. K. YIP / Mr. Chris WU; Tel: 2443 3474 / 2443 3325) | | |
| (a) | The application site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government, and Government Land (GL). | Since there is the restriction that no structure is allowed to be erected without the prior approval of the Government on the public and private land portions of the Site. The applicant will submit applications for the Short Term Waiver (STW) and Short Term Tenancy (STT) to make way for the erection of the proposed structures and occupation of Government Land at the Site respectively. No structure is proposed for domestic use. |
| (b) | No permission is given for occupation of GL (about 5,568m ² subject to verification) included in the application site. Any occupation of GL without Government's prior approval is not allowed. | |
| (c) | STT application for the piece of Government Land (about 1,409m ²) subject to verification [i.e. the proposed access road] will not be considered under the prevailing policy. | Noted. The applicant will apply short term tenancy for non-exclusive right of way for the occupation of Government Land (GL). |
| (d) | LandsD has reservation on the planning application since there are unauthorized structure(s) on Lot Nos. 1375, 1387, 1392, 1393, 1399 SB all in D.D. 125 which are already subject to lease enforcement actions according to case priority. The lot owner(s) should apply for regularization on the lease breaches as demanded by LandsD. | Noted. |

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| 5. Comments of Director of Environmental Protection (DEP) (Contact Person: Ms. Ming HE; Tel: 2835 2390) | | |
| (a) | <p>As the application site is in proximity to the “Conservation Area” (“CA”) zone, please ask the applicant to confirm that there is no works, including works for access road, carried out in the “CA” zone.</p> | <p>Please be confirmed that no works, including works for access road, will be carried out in the “CA” zone.</p> |
| 6. Comments of Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) (Contact Person: Mr. Brian LAM; Tel: 3565 3949) | | |
| (a) | <p>According to the aerial photo of 2023, the Site is situated in area of rural landscape predominated by village houses, vacant land, graveyards, pond and woodland. The record of eastern portion of the Site covered with trees and vegetation was observed in the aerial photo. However, from the site photos taken on 20.2.2024, site formation works were already undertaken within the eastern portion of the Site and adverse impact on landscape resources had taken place.</p> | <p>A revised tree survey plan, revised landscape master plan and planting plan are provided for your consideration (Annex III).</p> <p>Please be clarified that there is no site formation work carried out at the eastern portion of the Site. Only clearance of weeds or undersized trees were carried out on Site for the sake of site survey.</p> |
| (b) | <p>Even if the applicant proposed to retain 119 existing trees and 217 new trees to compensate the loss of proposed tree removal of 217 nos. of existing trees within the Site as shown in the Landscape Master Plan of Appendix II, the proposed new tree planting could not mitigate the impact generated by filling of land and pond with concrete on the surface layer of the entire site area as shown in Plan 11 “Filling and Exca. of Land”. We have grave concern on the proposed development and filling of land and pond as well as excavation of land in “Green Belt” zone which would further degrade the landscape resources and quality of the Green Belt area.</p> | <p>The Site is vacant and disturbed land and majority of the Site was covered by concrete. Majority of the vegetation was found at the periphery of the Site. In the current proposal, it is proposed to retain 119 existing trees, particularly along the edge of the Site, which is important landscape resources to the Site. These retained trees and proposed trees along the boundary will help to alleviate the visual and landscape impact to the surrounding due to the proposed development.</p> |
| (c) | <p>As shown in the aerial photo, existing woodlands within the same “Green Belt”</p> | <p>Noted.</p> |

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| | <p>zone and the adjacent “Conservation Area” zone are located in close proximity to the Site. The proposed development (i.e. temporary open storage and associated filling of pond and land, and excavation of land) is considered incompatible with the surrounding landscape resources (woodland in the same “Green Belt” zone and woodland in adjacent “Conservation Area” zone) from the landscape planning perspective.</p> | |
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