

Responses-to-Comments

**Proposed Temporary Warehouse for Storage of Construction Materials and Machinery, Parking of Special Purpose Vehicles and Rural Workshop 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/1183)

- (i) A set of revised plans is provided to demonstrate the proposed layout, details of tenants, inclusion of ‘no-build’ zone and site levels of the proposed development (**Plans 1 to 3**).
- (ii) A revised fire service installations proposal is provided (**Annex I**).
- (iii) A RtoC Table:

Departmental Comments		Applicant’s Responses
1. Comments of the Head of the Geotechnical Engineering Office/Civil Engineering and Development Department (GEO/CEDD) (Contact Person: Ms. 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	A revised layout plan is provided to indicate the inclusion of “no-build” zone within the application site (the Site) (Plan 2). No car parking space or critical facilities will be located within the “no-build” zone to ensure that no adverse geotechnical problems will be generated from the proposed development.

	measures as part of 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 at the subject site, the requirement for NTHS might make the case not economically viable. As an alternative, part of the subject site may be designated as a “no-build” zone, which is already incorporated in the proposed layout plan submitted by the applicant. No critical facilities (Group 1 to 3 facilities as stated in Annex 2) should be located within the “no-build” zone. In particular, the proposed car parking spaces should be located away from the “no-build” zone. With the inclusion of the “no-build” zone, the requirement for NTHS may be waived.	
(c)	Five existing registered man-made slopes (features no. 6NW-A/C135, 6NW-A/C136, 6NW-A/C138, 6NW-A/C145 and 6NW-A/C146) and some unregistered slopes (i.e. slopes adjoining features no. 6NW-A/C135 and 6NW-A/C138 and slope within Lot 1397 in D.D. 125) are located within or in vicinity of the subject site. These slopes may affect or be affected by the proposed development. The applicant is reminded of the requirements of making necessary site formation submission(s), including but not be limited to stability assessments of the existing/proposed geotechnical features within or in the vicinity of the site, to the Buildings Department for approval as required under the provisions of Buildings Ordinance if found applicable.	Noted.

2. Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) (Contact Person: Mr. Y.C. WONG / Mr. Tony CHAN; Tel: 2443 3474 / 2443 3325)	
(a)	The Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government, and government land (GL).
(b)	No permission is given for occupation of GL (about 5,568m ² subject to verification) included in the Site. Any occupation of GL without the Government's prior approval is not allowed.
(c)	Short Term Tenancy (STT) application for the piece of GL (about 1,409m ² subject to verification) (i.e. the proposed access road to the western portion of the Site) will not be considered. According to the established practice, STT application for the purpose of access road on GL will normally not be entertained, even if the application is approved by the Town Planning Board (the Board). If an Emergency Vehicular Access on GL is requested by the Board and/or other government departments, a non-exclusive right of way (ROW) clause over GL in the Short Term Waiver (STW) application may be considered by his office.
(d)	The following irregularities covered by the subject planning application have been detected by his office: LandsD has reservation on the planning application since there

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.

Noted. The applicant will apply the non-exclusive right of way under the STW application for the occupation of Government land (GL) accordingly.

Noted. The unauthorized structures would be demolished by the applicant after planning approval has been granted from the Town Planning Board (the Board). The applicant will apply for relevant approval to rectify the applied use accordingly.

	are unauthorized structure(s) on Lots 1375, 1387, 1392, 1393 and 1399 S.B 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.	
(e)	If the planning application is approved, the lot owner(s) will need to apply to his office to permit the structures to be erected or regularize any irregularities on site, if any. The applicant has to either exclude the GL from the Site or immediately apply for a formal approval prior to the actual occupation of the GL. The application(s) for STW/STT/ROW clause over GL will be considered by the Government in its capacity as a landlord and there is no guarantee that such application(s) will be approved. The application(s), if approved, will be subject to such terms and conditions including the payment of waiver fee/rent and administrative fee as considered appropriate by LandsD. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered.	
3. Comments of the Director of Agriculture, Fisheries and Conservation (DAFC) (Contact Person: Dr. Azaria WONG; Tel: 2150 6932)		
(a)	Given the current circumstances and the understanding that the Site is zoned “GB” and is not one of the potential Agricultural Priority Area sites intended to be preserved for agricultural use, he has no strong view on the application from agricultural point of view.	Noted.

(b)	Pond filling is generally not recommended from a fisheries viewpoint. Although the fish pond in the 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.	Although the proposed development involves filling of pond, the existing pond has been abandoned for decades, which is not a fishpond, there is no active fishing culture operation and other amenity value has been found within the Site. As the proposed development is intended to facilitate the relocation of the applicant's affected business premises for the development of Hung Shui Kiu/Ha Tsuen New Development Area, the special background of the current application should be considered on its individual merit.
(c)	The Site is partly paved. It is noted that erection of boundary wall (2.5m high), peripheral planter as landscape buffer area, good site practice and water pollution control have been proposed by the applicant to minimise disturbance to the surrounding area. Besides, the Site would be re-instated to an amenity area after the planning approval period. He has no major adverse comments from nature conservation perspective.	Noted.
4. Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) (Contact Person: Mr. Brian LAM; Tel: 3565 3949)		
(a)	According to the aerial photo of 2023, the Site is situated in an area of rural landscape character predominated by village houses, vacant land, graveyards, ponds and woodland. Based on the site photos dated January 2025, large areas of the eastern portion of the Site have already been hard-paved with concrete, and temporary structures are found at the western portion of the Site. Scattered existing tree groups with vegetation within the Site are also found.	A set of revised Landscape Master Plan is provided to tally with the latest layout of the Site (Annex II). There is no change in the proposed landscape treatment. Based on the submitted tree preservation and landscape proposal, the Site will be surrounded by 3m peripheral planter as landscape buffer area along the site boundary for retention of the existing trees and provision of new trees. To improve the overall landscape quality of the Site, a total of 119 existing trees are proposed to be preserved, and a direct plantation of 238 new trees, with a compensation ratio of approximately 1:1.1, are proposed to be planted to enhance overall appearance and visual
(b)	Based on paragraphs 5.15 and 5.16 of the Planning Statement	

	<p>and Appendix VI (i.e. Tree Preservation and Landscape Proposal/TPLP), a total of 350 existing trees within the Site are identified, of which 119 trees are proposed to be retained, 14 trees are proposed to be transplanted, and 217 trees of common species are proposed to be removed. According to the Planting Proposal and the Landscape Master Plan in TPLP, a total of 238 new trees of standard size are proposed to be planted at the periphery within the Site. The proposed planting species (including native and exotic tree species) are listed in Table 4.0 of the TPLP. She has no comment on the Planting Proposal and the Landscape Master Plan from landscape planning perspective. However, there is concern that approval of the proposed uses will result in alternation of the landscape character of the “GB” and further degrade the landscape quality of surrounding environment.</p>	<p>quality of the development. It reveals that impacts to landscape resources and landscape character areas are acceptable.</p>
<p>5. Comments of the Director of Environmental Protection (DEP) (Contact Person: Ms. Ming HE; Tel: 2835 2390)</p>		
(a)	<p>According to the applicant, it is noted that Ling To Tsz is located to the immediate south of the site while 1 proposed loading and unloading space for medium goods vehicle will be provided at southern part of the site. The applicant should (i) review whether it is possible to relocate the proposed loading and unloading space for medium goods vehicle away from Ling To Tsz to minimise the nuisance; and (ii) advise any mitigation measures to minimise the nuisance to Ling To Tsz.</p>	<p>All loading/unloading spaces will be located away from Ling To Tsz to minimize any potential nuisance (Plan 2). The Site will be surrounded by 3m peripheral planter as landscape buffer area along the site boundary to minimize the landscape and visual impact to the surrounding areas, including Ling To Tsz. 2.5m high solid metal will also be erected along the site boundary to minimize potential nuisance to the surrounding area. The boundary wall will be installed properly by licensed contractor to prevent misalignment of walls, to ensure that there is no gap or silt on the boundary wall. In addition, all maintenance will be conducted by the applicant on a regular basis.</p>

		<p>In view of the aforesaid mitigation measures, the potential nuisance to Ling To Tsz should not be anticipated.</p>
<p>6. Comments of the Commissioner for Transport (C for T) (Contact Person: Mr. Forrest NG; Tel: 2399 2422)</p>		
<p>(a)</p>	<p>Given the considerable scale and the usage of the captioned application, the site would generate traffic flow involving heavy goods vehicle, which may pose traffic impact to the nearby road network.</p> <p>At the junction to the south of San Wai Sewage Treatment Plant (named as Junction J4 in TIA report), the width of the access road connecting to the site is only about 5m wide. The road space could hardly allow two-way access of heavy good vehicles.</p> <p>As such, the applicant shall propose upgrading the aforesaid junction in order to mitigate the traffic impact.</p>	<p>Noted.</p> <p>Noted. Feasibility to widen a section of the concerned 5m carriageway at J4 (junction of Access Road underneath Kong Sham Western Highway / Ha Tsuen Road) will be investigated by the applicant, allowing two way traffic for section near J4.</p>