

Responses-to-Comments

**Proposed Temporary Open Storage of Construction Materials, Construction Machineries,
Auto Parts and Vehicles with Ancillary Facilities for a Period of 3 Years
and Associated Filling of Land and Pond in "Agriculture" Zone,
Various Lots in D.D. 106 and Adjoining Government Land, Shek Kong, Yuen Long, New Territories**

(Application No. A/YL-SK/371)

- (i) The applicant would like to provide clarifications for the proposed development:
- The area of the application site (the Site) is revised as 78,557m², including 1,817m² of Government land (GL), which is 8.7% smaller than the original submission (i.e. 86,015m²). A set of revised development plans are provided (**Plans 1 to 7**).
 - In view of the existing topographic profile of the Site as the site level ranging from +12.7mPD to +15.1mPD with several existing ponds, filling of land and ponds are required to be carried out of the whole Site (i.e. 78,557m²), in order to facilitate a flat surface to meet operational needs. The Site will be filled with soil of not more than 2.3m in depth for open storage area and circulation space, within which, about 1,320m² of the Site will be filled with not more than 0.2m of concrete at the top of the filled area in order to facilitate a flat surface for site formation of structures. The existing ponds will be filled with soil of not more than 0.5m in order to facilitate a flat ground surface to the surrounding site levels. The proposed site level ranges from +15mPD to +16.6mPD after filling of land and pond (**Plan 6 and Annex I**).
 - The filled area is considered necessary to meet the operational need and the extent of filling has been kept to minimal. The applicant will reinstate the Site to an amenity after the planning approval period.

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(ii) A RtoC Table:

Departmental Comments		Applicant's Responses
1. Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) (Contact Person: Ms. S. L. CHENG; Tel: 2443 1072)		
(a)	The application site comprises Government land (GL) and various Old Schedule Agricultural Lots in D.D. 106 held under the Block Government Lease which contains the restrictions that no structures are allowed to be erected without the prior approval of the Government.	The applicant will submit Short Term Tenancy (STT) application to rectify the applied use after planning approval has been obtained from the Town Planning Board (the Board). No structure is proposed for domestic use.
(b)	No permission is given for occupation of GL (about 1,863m ² as mentioned in the application form) included in the application site. Any occupation of GL without Government's prior approval is an offence under Cap.28.	
(c)	Building Licence No. 589 was issued to permit erection of a small house with a roofed-over area not exceeding 676 square feet and not exceeding a height of 15 feet or a 2-storey small house building not exceeding a height of 25 feet for residential use to Lot Nos 1027 S.A in D.D. 106.	The area of the Site has been revised by the applicant (Plan 3). The concerned lot (i.e. Lot 1027 S.A in D.D. 106) has been excluded from the proposed development.
(d)	I must point out that the following irregularities covered by the subject planning application have been detected by this office:	

<p><u>Unauthorised structure(s) within the said private lot(s) covered by the planning application</u></p> <p>LandsD has reservation on the planning application since there are unauthorised structures and uses on Lot Nos. 1002 and 1006 both in D.D. 106 which are already subject to lease enforcement actions according to case priority. The lot owner(s) should rectify/apply for regularization on the lease breaches as demanded by LandsD.</p> <p>If the planning application is approved, the lots owner(s) shall apply to this office for a Short Term Waiver (STW) and Short Term Tenancy (STT) to permit the structure(s) erected within the said private lots and the occupation of the Government land. The applications for STW and STT will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The STW and STT, 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</p>	<p>The applicant will submit Short Term Waiver (STW) application to rectify the applied use after planning approval has been obtained from the Board. No structure is proposed for domestic use. The unauthorised structure(s) within the Site will be demolished by the applicant after planning approval has been granted from the Board.</p>
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	erection of temporary structure(s) will be considered.	
2. Comments of the Commissioner for Transport (C for T) (Contact Person: Mr. Phil CAI; Tel: 2399 2421)		
(a)	The site is applied for the use of temporary open storage of construction materials, construction machineries, auto parts and vehicles and a total of 36 number of car parking space is proposed in the site. The applicant shall justify such number considering the commute of staff / visitors and logistics.	A total of 18 private car parking spaces are provided to serve the staff and 18 loading/unloading spaces are provided for transportation of construction materials/machineries/auto parts for the proposed development. As the Site is for 'open storage' use with no shopfront, no visitor is anticipated at the Site. It is estimated that the Site would be able to accommodate 30 staff to facilitate the operation. Since there is limited destinations and infrequency of public transportation in the surroundings, the proposed 18 parking spaces for private car is intended to facilitate the staff for daily commuting to the Site.
(b)	The applicant shall provide the size of LGV and shall note that there is length restriction along the proposed routing.	The applicant will strictly follow the Transport Planning and Design Manual (TPDM) Volume Chapter 2 for the dimensions of the vehicles provided at the Site. Only private car (i.e. 4.6m (L) x 1.7m (W)) and light goods vehicles (i.e. 5.2m (L) x 2.1m (W)) are allowed to enter/exit the Site at any time during the planning approval period. The dimension of the light goods vehicle (LGV) is 5.2m (L) x 2.1m (W), which would not exceed the length restriction along the proposed routing (i.e. 7m).
(c)	The applicant should note the local access between Shek Kong Airfield Road and the site is not managed by this Department.	Noted.
3. Comments of the Chief Engineer / Mainland North, Drainage Services Department (CE/MN, DSD) (Contact Person: Mr. Kenneth CHAN; Tel: 2300 1259)		
(a)	The size of the application site is about 86,015m ² . In accordance with paragraph 1(c) of Annex C of	The applicant has submitted a drainage impact assessment (DIA) to review the drainage arrangement for the proposed development (Annex II). Under the revised proposed scheme,

	<p>the Guideline Notes of Application for Permission under Section 16 of the Town Planning Ordinance (CAP. 131), a drainage impact assessment (DIA) is required for the submission. Besides, the submission should include the following:</p> <p>Colour photos to indicate the current conditions of the existing drainage facilities should be included in the submission. The photos taken locations and angles should be shown on the layout plan.</p>	<p>majority of the Site will be filled with soil, only a small portion of the Site will be hard paved for site formation of structures. The overland flow from the Site is therefore considered would not affect the adjacent lands. The proposed filling of land and filling of pond works have already been taken into consideration of the submitted DIA. The increase in surface runoff generated by the proposed development is estimated to be minimal and will be collected by the proposed drainage systems and discharged into the existing drains. Based on the DIA, it is concluded that <u>no adverse drainage impact</u> is anticipated.</p>
(b)	<p>The size and gradient of the proposed/existing drainage facilities to be discharge from the site and/or the overland flow intercepted from the adjacent lands should be indicated in the submission. The applicant should check and ensure the hydraulic capacity of the existing drainage facilities would not be adversely affected by the captioned development.</p>	
(c)	<p>The ground to the south-east of the application site is generally higher. Since the overland flow from the adjacent lands shall be probably intercepted, external catchment shall be considered in the calculation.</p>	

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(d)	Drainage plan indicates the locations of the u-channel and how the overland flow from the adjacent area of the site could be properly intercepted and discharged should be included.	
(e)	The submission should demonstrate the proposed site will not affect the overland flow from the adjacent lands.	
(f)	The cover and invert levels of the proposed u-channels and catchpits should be shown on the drainage plan.	
(g)	Full alignment of the discharge path from the application site all the way down to the ultimate discharge point (e.g. a well-established overland flow passing through the site).	
(h)	Where walls or hoarding are erected or laid along the site boundary, adequate opening should be provided to intercept the existing overland flow passing through the site.	
(i)	Cross sections showing the existing and proposed ground levels of the captioned site with respect to the adjacent areas should be given.	

(j)	Standard details should be provided to indicate the sectional details of the proposed u-channel and the catchpit/sand trap.	
(j)	The development should neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc.	
(k)	The applicant shall resolve any conflict/disagreement with relevant lot owner(s) and seek LandsD's permission for laying new drains/channels and/or modifying/upgrading existing ones in other private lots or on Government land outside the application site.	
4. Comments of the Director of Agriculture, Fisheries and Conservation Department (DAFC) (Contact Person: Ms. WONG Cheuk Ling; Tel: 2150 6933)		
(a)	The subject site falls within the "AGR" zone and is generally vacant. 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 the subject site possesses potential for agricultural rehabilitation, the proposed	Although the Site falls within area zoned as "Agriculture" ("AGR"), there is no active agricultural use within the Site. The Site is also surrounded by areas occupied by various open storage/storage yard, warehouse and holiday camps. Furthermore, the Site is located approximately 10m east of the existing "Industrial (Group D)" zone within the same Outline Zoning Plan. The proposed development is therefore considered not incompatible with the surrounding area. Therefore, approval of the current application on a temporary basis of 3 years would better utilize deserted agricultural land and would not jeopardize the long-term planning intention of the "AGR" zone. The applicant will reinstate the Site to a state that is suitable for agricultural use after the planning approval period.

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	<p>development is not supported from agricultural perspective.</p>	<p>The applicant has submitted a drainage impact assessment report in accordance with requirements from DSD, including the provision of peripheral u-channels and catchpits to mitigate the potential adverse drainage impact generated by the proposed development (Annex II). Therefore, direct impact to the watercourse should not be anticipated.</p> <p>2.5m boundary fencing will be placed along the Site during the planning approval period to avoid adverse impact. The boundary fencing will be installed properly by licensed contractor and maintenance will be conducted regularly to prevent misalignment of walls and to ensure that there is no gap or silt on the boundary fencing.</p>
(b)	<p>Pond filling is generally not recommended from a fisheries viewpoint. It is noted that the subject location includes fish ponds of unknown status that have 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>Although the Site involves filling of pond, the existing pond has been abandoned for decades, and no active fishing culture operations have been found within the Site. The proposed filling of ponds is intended to facilitate a flat ground surface for the proposed development and the extent of filling of ponds has been kept to minimal. The applicant will strictly follow the proposed scheme and reinstate the Site to a state that is suitable for agricultural use after the planning approval period.</p>
(c)	<p>As the subject site would encroach into existing streams along its northeastern and northern boundary, the proposed development will pose direct impact on the streams while stream and watercourse should be preserved as far as possible from nature conservation perspective. In addition, it is noted from the aerial photo that the subject site is vegetated, yet it is noted from application form (part 6) that there will be no tree felling. The applicant shall clarify whether tree will be felled for the proposed use.</p>	<p>It is noted that existing water streams are located along the northeastern and northern boundary of the Site flowing from east to west and finally connect to Kam Tin River. According to the DIA report submitted by the applicant, some of the runoff from the Site will be discharged into the natural stream (Annex II). The DIA revealed that there is no increase in surface runoff arising from the proposed development. It is anticipated that no adverse drainage impact will pose on the streams.</p> <p>According to the tree survey conducted in August 2024, a total of 60 nos. of trees were record within the Site, within which <u>no</u> Old and Valuable Trees (OVT) or protected species have been identified (Annex III). 33 out of 60 nos. of identified trees are proposed to be felled, 27 are proposed to be retained and 35 of new trees are proposed to be planted (Annex IV).</p>

		<p>Preservation and direct plantation will be adopted to retain the tree resources within the Site. All the trees within the Site will be well maintained by the applicant during the planning approval period.</p>
<p>5. Comments of the Antiquities and Monuments Office, Development Bureau (AMO, DEVB) (Contact Person: Ms. LAU Sin Yung; Tel: 2208 4462)</p>		
(a)	<p>Since the application site is situated within the Shui Lau Tin Site of Archaeological Interest, please confirm / clarify if there is any ground excavation proposed for the temporary open storage of construction machineries and materials, including but not limited to site formation works, building works, drainage works, etc. If affirmative, the applicant is required to provide details of the proposed works, e.g. the location, extent and depth of the proposed ground excavation and so on for further comment of the Antiquities and Monuments Office of Development Bureau.</p>	<p>Regarding the proposed drainage facilities at the Site as indicated in the drainage impact assessment report (Annex II), peripheral drainage u-channels (i.e. 1,430m (L) x 450mm (W) x 450mm (D)), drainage pipe (i.e. 580m (L) x 525mm (W) x 525mm (D) and 27 catchpits (i.e. 1025mm (L) x 1025mm (W) x 1000mm (D) x 27) are proposed by the applicant to collect surface run-off, in order to minimize adverse drainage impact to the surrounding area. Approximately 478m² (about), i.e. 0.6% (about) of the Site area will be excavated of not more than 1000mm in depth for drainage facilities. As the excavation work is intended to facilitate the required drainage facilities and the scale of excavation is insignificant, adverse impact of Shui Lau Tin Site of Archaeological Interest should <u>not</u> be anticipated.</p>
<p>6. Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) (Contact Person: Mr. HUI Yu San, Samuel; Tel: 3565 3957)</p>		
(a)	<p>The applicant should provide information on the existing trees within the application site including location, species and sizes, general condition with photos, proposed tree treatment and mitigation measures for consideration. The applicant is reminded to preserve the existing trees within the</p>	<p>According to the tree survey conducted in August 2024, a total of 60 nos. of trees were record within the Site, within which <u>no</u> Old and Valuable Trees (OVT) or protected species have been identified (Annex III). 33 out of 60 nos. of identified trees are proposed to be felled, 27 are proposed to be retained and 35 of new trees are proposed to be planted (Annex IV).</p>

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	site, particular the rare and protected species, as far as practicable.	Preservation and direct plantation will be adopted by the applicant to retain the tree resources within the Site. All the trees within the Site will be well maintained by the applicant during the planning approval period.
(b)	The applicant is advised that approval of the application does not imply approval of tree works, if any, such as pruning, transplanting and felling. The applicant is reminded to seek comments and approval for any proposed tree works from the relevant department prior to the commencement of the works.	Noted.
7. Comments of the District Planning Officer/Fanling, Sheung Shui and Yuen Long East, Planning Department (DPO/FSYLE, PlanD) (Contact Person: Ms. Tiffany HUI; Tel: 3168 4046)		
(a)	Please clarify the dimensions of the construction machineries/ materials for the open storage use.	<p>Please see samples of construction materials/machineries for the open storage use below:</p> <p><u>Dimensions of Typical Construction Materials</u></p> <p>(1) Tiles: from 0.3 m (L) x 0.3 m (W) and up to 0.6 m (L) x 0.6 m (W)</p> <p>(2) Standard Brick: 0.19 m (L) x 0.09 cm (W) x 0.06 m (H)</p> <p>(3) Standard Lumber: 0.05 m (L) x 0.1 m (W) x 2 m (H)</p> <p>(4) Structural Pipes: ranges from 0.3 m (W) to 0.9 m (W), with lengths typically around 2 m</p> <p>(5) Scaffolding: typically modular sections of around 2 meters in height and width</p>

		<p><u>Dimensions of Typical Construction Machineries</u></p> <p>(1) Elevated platform: 1.44m(L) x 0.76m (W) x 1.7m (H)</p> <p>(2) Digging machine: 0.4m (L) x 0.3m (W) x 0.4m (H)</p> <p>(3) Generator: 0.95m (L) x 0.4m (W) x 0.27m (H)</p> <p>(4) Screws (per stack): 0.8m (L) x 0.8m (W) x 0.4m (H)</p> <p>(5) Paints (per stack): 0.8m (L) x 0.8m (W) x 0.4m (H)</p>
(b)	Please clarify in detail the layout of the Site.	<p>Since a large portion of the Site is dedicated to access road, manoeuvring, vehicle parking and circulation areas to support the operation of the site. According to the applicant, the original premises currently lack of circulation space, resulting in longer waiting times for vehicles to loading/unloading (L/UL) of goods. As more time is required for the L/UL of goods, the transport costs are therefore increased. As a result, for the current application, the applicant intends to reserve a significant amount of circulation space within the Site to increase the overall efficiency of the Site and minimise the potential adverse traffic impact on the internal road network. And the manoeuvre area is also encroaching onto the open storage areas to prevent queuing of vehicles within the Site.</p>