

Attachment 1 Responses-to-Comments Table

Application for Amendment of Plan Under Section 12A of the Town Planning Ordinance (Cap.131), to Rezone the Application Site from “Open Storage”, “Agriculture” Zones and an area shown as ‘Road’ to “Other Specified Uses” annotated “Mixed Use” Zone, for Proposed Mixed Use Development at Lots 796 and 1008 RP in D.D. 77 and Adjoining Government Land in Ping Che, Ta Kwu Ling, New Territories
Response to Departmental Comment

Comments from Related Departments

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1. Buildings Department, New Buildings Division 1, New Territories West Section, dated 15 December 2023
2. Drainage Services Department, Operations & Maintenance Branch, Mainland North Division, North Section, dated 6 December 2023 3
3. Environmental Protection Department, dated 4 December 2023 5

1.	<p>Buildings Department, New Buildings Division 1, New Territories West Section, dated 15 December 2023</p> <p>I have the following comments on the application under the Buildings Ordinance (BO):</p>	
	(a) The development intensity shall not exceed the permissible as stipulated under the First Schedule of Building (Planning) Regulation (B(P)R). If the site does not abut on a specified street having a width of not less than 4.5m, the development intensity shall be determined under Regulation 19(3) of the B(P)R during plan submission stage;	Noted.
	(b) The site shall be provided with means of obtaining access thereto from a street under Regulation 5 of the B(P)R and emergency vehicular access shall be provided for all the buildings to be erected on the site in accordance with the requirements under Regulation 41D of the B(P)R. Noting that road upgrading works are proposed to widen the existing access road, the said works should be completed before application of Occupation Permit if the said road serves any purposes under the BO (e.g. emergency vehicular access and/or site classification);	Noted.
	(c) All existing/future streets/roads within the development lot(s) should be excluded from site area of the proposed development for plot ratio and site coverage calculation under the B(P)R;	Noted.
	(d) Areas of the proposed social welfare facilities and public transport terminus are to be included in gross floor area (GFA) and site coverage calculation under the BO. Comments will be provided on application for exemption of GFA and site coverage to these facilities upon receiving detail design and justification in plan submission stage;	Noted. Area of the proposed social welfare facilities and public transport terminus are to be included in GFA and site coverage calculation under the BO during building plan submission stage.

	(e) Any parking spaces to be disregarded from GFA calculation under the Regulation 23(3)(b) of the B(P)R shall be subject to the requirements laid down in Appendix C of Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-2;	Noted.
	(f) Residential Recreational Facilities may be excluded from GFA calculation subject to requirements under PNAP APP-104;	Noted.
	(g) The proposed hotel use on 25/F - 34/F of Tower 1 should satisfy all the pre-requisites under PNAP APP-40 before hotel concession under Regulation 23A of the B(P)R may be granted;	Noted.
	(h) Sustainable building design requirements and pre-requisites under PNAP APP-151 and APP-152 shall be complied with if GFA concession for green and amenity features and non-mandatory/ non-essential plant rooms and services is to be exempted/disregarded;	Noted.
	(i) If the proposed use under application is subject to issue of a license, the applicant should be reminded that any existing structures on the application site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority;	Noted.
	(j) The applicant's attention is drawn to the provision under regulations 40 and 41 of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulation in respect of disposal of foul water and surface water respectively;	Noted.
	(k) Detailed comments will be given in the building plan submission stage.	Noted.
2.	Drainage Services Department, Operations & Maintenance Branch, Mainland North Division, North Section, dated 6 December 2023 Drainage Impact Assessment	

<ul style="list-style-type: none"> • Please confirm if the latest design standard pursuant to Stormwater Drainage Manual Corrigendum No. 1/2022 was adopted and complied, especially regarding the adjustment due to climate change. • Please advise the change in drainage impact before and after the development. • Please advise if site formation works is proposed to raise the level of the site. Please also elaborate on the potential drainage impacts to the surrounding areas, especially adjacent village houses and Ping Che Road. The applicant is reminded that all existing flow paths as well as the run-off falling onto and passing through the site should be intercepted and disposed of via proper discharge points. The applicant shall also ensure that no works, including any site formation works, shall be carried out as may adversely interfere with the free flow condition of the existing drains, channels and watercourses on or in the vicinity of the subject site any time during or after the works. • Please supplement an assessment to demonstrate adequacy of the existing network subject to the drainage discharge arising from the proposed development. 	<p>The latest design standard pursuant to Stormwater Drainage Manual Corrigendum No. 1/2022 was adopted. Please refer to Section 3.2.3 of Annex A (Revised Drainage Impact Assessment).</p> <p>Noted. The flow path before and after proposed development is shown in Figure 3.1 and Figure 3.2, and the drainage impact of the proposed development in Section 4.3 of Annex A.</p> <p>The site formation works raise the level to 16.0 mPD. Based on the stormwater runoff flow path, the Application Site is expected to intercept the existing flow from Catchment immediately upstream (catchment A). U-Channel along eastern boundary of the Application Site will be proposed to collect existing flow from Catchment A. The drainage impact of the proposed development is assessed in Section 4.1 to Section 4.2 of Annex A.</p> <p>The drainage impact of the proposed development is assessed, please refer to Section 4.1 and Section 4.2 of Annex A.</p> <p>It is noted that planned drainage facilities are expected in New Territories North development, while no relevant implementation information from Civil Engineering and Development Department can be obtained during the course of study. Further study will be conducted once additional information can be obtained from CEDD.</p> <p>Various mitigation measures will be explored and studies for implementation if necessary, including at grade greenery / green roof, pervious material, rainwater harvesting and retention pond, and application of floodable area and drainage facility co-use. Please refer to Section 4.4 of Annex A.</p> <p>Noted and revised accordingly in Section 5.1.5 of Annex A.</p>
<ul style="list-style-type: none"> • Para. 5.1.3: Only sewerage impact was mentioned. Please also provide a comment regarding the drainage impact. 	

	<ul style="list-style-type: none"> Figure 3.1: proposed drainage facilities within the development site is missing, please supplement and clarify. <p>Sewerage Impact Assessment</p> <ul style="list-style-type: none"> The SIA report needs to meet the satisfaction of EPD, the planning authority of sewerage infrastructure. Section 4.7.1 - Please indicate that the project proponent will be responsible for the construction and maintenance of the proposed STP. Section 5.1.2 - Please provide a preliminary layout plan of the proposed STP for reference and report completeness. The proposed effluent discharge standard should be included in the report for completeness. 	<p>The preliminary drainage layout is shown in Figure 3.2 of Annex A, the detailed drainage plan will be submitted in later detailed design stage.</p> <p>Noted.</p> <p>Noted and revised accordingly. Please refer to Section 4.7.1 of the Annex B (Revised Sewerage Impact Assessment).</p> <p>The preliminary layout plan for the STP with equalization tank and the proposed discharge drainage to terminal manhole is provided in Figure 4.1. The exact treatment process and drainage plan are subjected to detailed design stage later, following the “Guidelines for the Design of Small Sewage Treatment Plants” issued by EPD. Please refer to Annex B for more details.</p> <p>The effluent discharge standards are referenced from Technical Memorandum for Effluents Discharged Into Drainage and Sewerage Systems, Inland and Coastal Waters.</p> <p>Please refer to Section 3.1.1, Section 3.1.2 and Table 3-1 of the Annex B.</p>
3.	<p>Environmental Protection Department, dated 4 December 2023</p> <p>Planning Statement</p> <p>1. Section 4.4.2</p> <p>Please provide the number of ingress/egress points of the proposed carriageway</p> <p>Appendix F – Environmental Assessment Report</p> <p><u>Waste Management Perspective</u></p> <p>2. General</p>	<p>Information has been supplemented in para. 4.4.2 of the Annex C (Replacement Pages of Updated Supporting Planning Statement).</p>

<p>(a) Given that there is no assessment of the waste management implications of the Project, we could not offer our technical advice on the impacts related to waste management. The Consultant is advised to identify and evaluate the corresponding implications accordingly.</p> <p>(b) According to the section drawings enclosed in Appendix 3.1, a three-storey basement structure (10.5 meters below ground level) and a one-storey basement structure (6 meters below ground level) are proposed, which is anticipated to generate significant C&D materials. Please supplement the anticipated excavation extent (i.e., area and depths) of the Project in the quantity estimation in the subsequent submission (with an additional chapter for waste management implications). The Consultant shall also elaborate on the construction method and clarify whether alternative design, general layout, construction methods, and programmes have been explored to minimize the generation of public fill/inert C&D materials.</p> <p><u>Land Contamination Assessment Perspective</u></p> <p>3. Chapter 7</p>	<p>Section for Waste Management is supplemented in Section 9. Please refer to Annex D (Revised Environmental Assessment).</p> <p>The anticipated excavation extent of the Project and the quantities of C&D material generated are supplemented in Section 9.3 of Annex D.</p> <p>Please note that the construction method is yet to be determined in current planning application, but detailed construction method would be available in detailed design stage. Adoption of alternative design, construction method and appropriate programme will be studied then to minimise environmental impacts. Works will be carefully scheduled and sufficient time will be allowed to minimize the generation of public fill/inert C&D materials in short time as well.</p>
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<p>The Consultant is advised to elaborate further and describe the requirements and assessment methodology for land contamination issues (i.e., right after the introduction of the relevant guidelines in Section 7.1). It is required to confirm with documentary justifications to substantiate whether there is any potential land contamination issue arising from the past and present land use activities on the proposed development site through desktop review and site survey (e.g., site's land use history, aerial photos, site visit photos, spillage records, potential contamination sources, etc.). Subject to the assessment outcome, the Contamination Assessment Plan (CAP) and, subsequently, the Contamination Assessment Report (CAR) and Remediation Action Plan (RAP) may be required in later stages to identify the potential land contamination issues in the application site. The land contamination assessment and remediation works shall be completed according to EPD guidelines before the commencement of any construction works for the development.</p> <p>4. Table 7-1</p> <p>(a) Given that the Consultant has not reviewed the aerial photos throughout the concerned period, please review whether it is appropriate to describe those enclosed in Appendix 7.1 in "Years" only.</p> <p>(b) The Consultant shall individually elaborate on the on-site or off-site land use to evaluate the off-site contamination potential from historical land uses.</p> <p>(c) In addition to the major portion of the site, the Consultant shall elaborate on the changes at the western, eastern and southern parts of the application site, of which changes in land uses and scale of operation were observed.</p> <p>(d) According to Figure 6.3, the Site has encroached or is immediately adjacent to several industrial sources (e.g., S07, S08 and S10), please review and elaborate as appropriate.</p>	<p>Requirements and assessment methodology for land contamination issues are supplemented in Section 8.2 of Annex D.</p> <p>Site appraisal including desktop review and site survey has been conducted. Machinery maintenance and chemical stains are identified on site. "Hotspots" are identified accordingly. The potential of land contamination cannot be ruled out. Further Site Investigation is considered necessary. The Contamination Assessment Plan (CAP) and, subsequently, the Contamination Assessment Report (CAR) and Remediation Action Plan (RAP) may be required in later stages to identify the potential land contamination issues in the application site. The land contamination assessment and remediation works shall be completed according to EPD guidelines before the commencement of any construction works for the development.</p> <p>Additional aerials photos throughout the concerned period with evaluation are supplemented. Please refer to the revised Table 8-1 and Appendix 8.1 of Annex D.</p> <p>Noted. Supplemented in Section 8.4.2 to 8.4.7 of Annex D.</p> <p>Noted. Supplemented in Section 8.4.2 to 8.4.7 of Annex D.</p> <p>Noted. Supplemented in Section 8.4.2 to 8.4.7 of Annex D.</p>
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<p>5. Appendix 7.1</p> <p>(a) The resolution of aerial photos in Year 1954, Year 1976, Year 1981 are poor, please review and substitute records in better quality for further review and vetting.</p> <p>(b) Please review whether the site was occupied by open storage areas in Year 1986.</p> <p>(c) Please supplement legends for the (i) red solid line and (ii) cyan hatch for clarity.</p> <p>(d) Slight displacements of the location of the site boundary were observed in most of the aerial photos, the Consultant is advised to carefully review and align the overlay in each of the aerial photos.</p> <p>(e) Indicative markup on the land use within the application site and its immediate adjacent shall be provided to facilitate vetting and further review.</p>	<p>Aerial photos for the said years are substituted by the ones with better resolutions. Please refer to Table 8-1 and Appendix 8.1 for the updated years of aerial photos included for land use analysis in Annex D.</p> <p>Based on aerial photo, the site was a vacant land in Year 1986. Appendix 8.1 is updated accordingly in Annex D.</p> <p>The cyan hatch is removed and the Site Boundary is shown in red solid line. Please refer to Appendix 8.1 of Annex D.</p> <p>Revised accordingly. Please refer to Appendix 8.1 of Annex D.</p> <p>Indicative markup on the land use within the application site and its immediate adjacent is provided. Please refer to Appendix 8.1 of Annex D.</p>
<p>6. Appendix 7.2</p> <p>(a) According to the email correspondence dated 30 June 2023, the updated site boundary within the additional project site was provided to the relevant EPD and LandsD section for further information. Please supplement the updated locational plan to avoid confusion.</p> <p>(b) Since the response from PlanD is yet available, we will reserve our comment on the conclusion of the land contamination chapter.</p> <p>(c) According to Table 7.2, an interim reply from FSD is discussed, please append the relevant correspondence for clarity.</p> <p>(d) Please clarify whether further information from FSD and PlanD are required within the updated site boundary of the additional project site.</p>	<p>Latest responses from government departments are updated in Appendix 8.3 of Annex D.</p> <p>Noted. Please be noted that PlanD’s response is pending.</p> <p>Latest responses from government departments are updated in report. Please refer to Appendix 8.3 of Annex D.</p> <p>Updated information from FSD have been obtained based on the updated site boundary of the additional project site. Please refer to Appendix 8.3 of Annex D. Response from PlanD is still pending and it will be supplemented once available.</p>
<p>7. Appendix 7.3</p>	

<p>(a) According to Section 3.2, the proposed site area is about 17,822m². Please review any updates on the total site area (i.e., appropriately 100,000 m²) is required.</p> <p>(b) Please attach the site plan for further vetting.</p> <p>(c) Building structures were identified in Photos 6, 11 and 13, etc., please review and update the % of buildings as appropriate.</p> <p>(d) It is stated that containers for temporary storage were observed near the front entrance, please elaborate on the nature of the materials and their locations.</p> <p>(e) According to the response from the existing owner, the land was vacant and paved with concrete in April 2023, please clarify if there were changes in land use in the past year before their occupation. The Consultant is advised to provide the air drone photo for further review of the site condition.</p> <p>(f) Please clarify whether maintenance or land contaminating activities are anticipated from the routine operation.</p> <p>(g) Please specify the chemical storage location for clarity.</p> <p>(h) It has been noticed that sand and soil are received from the daily operation, please clarify and elaborate on the daily activities within the application site and review whether the sites are only used for storing materials.</p>	<p>Revised as 17,822m² in Appendix 8.4 of Annex D.</p> <p>Attached in Appendix 8.4 of Annex D.</p> <p>Revised to 7% in Appendix 8.4 of Annex D.</p> <p>The containers for temporary storage near the front entrance is used as site office and storage of building material, steel, and spare parts of equipment. site office. Please refer to Section 8.6.3 of Annex D.</p> <p>The air drone photo is supplemented in Figure 8.1 of Annex D.</p> <p>Yes. Minor maintenance works for machinery are anticipated from the routine operation. as confirmed by current user, they are conducted occasionally and if necessary within the maintenance area in the middle portion of the application site.</p> <p>Yes, chemical storage including lubricant oil, diesel, waste oil. battery acid, are identified at the maintenance area in the middle portion of the application site as stated in Section 8.6.5 of Annex D.</p> <p>Storage of Building materials (sand, soil and concrete block) and machinery are expected in daily operation.</p> <p>Minor maintenance works for machinery are expected and to be carried out occasionally within site.</p>
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<p>(i) Given that waste oil is anticipated from the application site, please clarify whether there is a registry of CWP within the application site.</p> <p>8. Appendix 7.4</p> <p>(a) In addition to the site photographic records within the application site, the Consultant is advised to supplement records for the off-site properties for the evaluation of off-site land contamination potential.</p> <p>(b) The Consultant is advised to incorporate the base map into the locational key plan to facilitate further vetting.</p> <p>(c) The Consultant is advised to incorporate a brief description for each of the site photos (i.e., paving condition, existence of stains, land use, activities, potential contamination sources), in particular those with land contamination potential and contamination hotspots.</p> <p>9. Section 7.4.2</p> <p>(a) Please elaborate on the CWP registration within the application site. The Consultant is advised to compile a summary table with information including but not limited to (i) identity of the CWP, (ii) nature of business, (iii) chemical type, (iv) address, and (v) activeness/validity. For clarity, please also specify the date of inspection of the registry of chemical waste producers.</p> <p>(b) Please revise the last sentence as follows:</p> <p>“Based on the information available, no record of any reported chemical spillage or leakage incident in the past 5 years, there is a record of was a chemical waste producer producers registration at site location, the information will be further identify identified in EPD Territory Control Office.”</p> <p>10. Section 7.4.3</p>	<p>Registry of CWP within the application site is supplemented in Section 8.5.2 and Appendix 8.2 of Annex D.</p> <p>Off-site properties are supplemented in evaluated in Section 8.4.4 to 8.4.7 of Annex D.</p> <p>The base map is incorporated into the locational key plan. Please refer to Appendix 8.4 of Annex D.</p> <p>Site photos of potential contamination hotspots are identified and indicated. Please refer to Section 8.6 to 8.7 for the description of the site photos and Appendix 8.4 of Annex D.</p> <p>Elaboration of CWP registration record within the application site is supplemented in Appendix 8.2 and Section 8.5.2 of Annex D.</p> <p>Revised accordingly. Please refer to Section 8.5.2 of Annex D.</p>
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<p>Please supplement the information to substantiate that dangerous goods and chemicals were not involved in the No. 1 Fire Alarm. The Consultant is advised to graphically locate the chemical waste producer within the site and compare it against the location fire incident for clarity.</p>	<p>Supplemented in Section 8.5.3 and Section 8.7.2 of Annex D.</p>
<p>11. Section 7.4.5</p> <p>Potential land contamination areas (i.e., construction material and machinery storage area; chemical and chemical wastes storage areas) and contamination hotspots (i.e., stained surfaces) were identified during the site walkover. Please graphically indicate their location and extent to devise the sampling and testing methodology and facilitate the detailed land contamination assessment, and SI works in the subsequent submission.</p>	<p>Supplemented in Figure 8.1 and Section 8.7.8 of Annex D.</p>
<p>12. Sections 7.6.2 and 7.6.3</p> <p>(a) Please review and update the findings as per the comments above.</p> <p>(b) Given that the current land user has only occupied the site since April 2023, please review and evaluate whether the land use, activities, scale and location of operation within the application site remain unchanged throughout the 1980s to 2020s. If not, the Consultant shall clarify whether only the machinery storage area or the entire area shall be considered potentially contaminated, which requires detailed land contamination assessment in the subsequent stages.</p> <p>(c) Please note that the stained surfaces shall be identified as contamination hotspots but not the only evidence to determine whether detailed SI works is required. The Consultant is advised to carefully examine the justification for clarity.</p>	<p>Revised in Section 8.7 of Annex D and a section of "hotspots" is added.</p> <p>Supplemented in Section 8.7 of Annex D.</p> <p>Stained surfaces are identified as "Hotspots" and they are identified in the machinery maintenance area at the middle portion of the application Site. Please refer to Section 8.7 of Annex D.</p>
<p>13. Section 7.6.4</p> <p>In addition to submitting RAP (if contamination is detected), the Consultant shall elaborate on the requirements of CAP and CAR and potentially the RR.</p>	<p>CAP, CAR and RAP will be submitted for EPD approval before commencement of the construction of project. Please refer to Section 8.7.8 of Annex D.</p>

<u>Water Quality Perspective</u>	
<p>14. Please provide “Water Quality Chapter” in Environmental Assessment to evaluate the water quality impact of the proposed development.</p> <p>Appendix H – Sewerage Impact Assessment Report</p> <p>15. Section 3.1.1</p> <p>Please note that ProPECC PN 5/93 has been superseded by ProPECC PN 1/23. Please amend.</p> <p>16. Section 3.1.2</p> <p>Please add “Water Pollution Control Ordinance (Cap. 358)”.</p> <p>17. Section 3.1.2</p> <p>Second last bullet point: Please amend “WPCO-TM” to “TM-DSS”.</p> <p>18. Please explain the treatment level of the proposed sewage treatment plant and provide design and relevant details of the sewage treatment plant with figure illustration.</p> <p>19. Please provide details of emergency bypass for emergency discharge of effluent and illustrate with figure.</p>	<p>Supplemented in Section 7 of Annex D.</p> <p>Revised. Please refer Section 3.1.3 of Annex B.</p> <p>Revised. Please refer Section 3.1.1 of Annex B.</p> <p>Revised. Please refer Section 3.1.4 of Annex B.</p> <p>The design of STP will follow Guidelines for the Design of Small Sewage Treatment Plants issued by EPD, which is to be designed in later detailed design stage.</p> <p>The provision and management of emergency discharge is provided. It is to be designed in later detailed design stage.</p>