

**Similar s.16 Applications within the same “R(D)” Zone
on the Ngau Tam Mei Outline Zoning Plan**

Approved Application

<u>No.</u>	<u>Application No.</u>	<u>Proposed Use(s)*/ Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Conditions</u>
1.	A/YL-NTM/225	Proposed House (New Territories Exempted House - Small House)	4.7.2008 Approved by RNTPC	1

Approval Condition

- (1) The submission and implementation of landscape proposal.

Rejected Applications

<u>No.</u>	<u>Application No.</u>	<u>Proposed Use(s)*/ Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Main Reasons for Rejection</u>
1.	A/YL-NTM/47	Proposed 4 NTEHs	11.12.1998 Rejected by RNTPC	1, 3
2.	A/YL-NTM/58	Propose 3 Houses and Relaxation of Plot Ratio Restriction	30.4.1999 Rejected by RNTPC	2, 3
3.	A/YL-NTM/69	Propose 3 Houses and Relaxation of Plot Ratio Restriction	10.3.2000 Rejected by TPB	2, 3

Rejection Reasons

- (1) The proposed development with a PR of 0.53 is considered excessive.
- (2) The proposed relaxation of plot ratio restriction cannot be considered as “minor”, and there is no strong justification in the submission to merit a relaxation of plot ratio restriction of the “R(D)” zone.
- (3) The approval of the proposed development would set an undesirable precedent for other similar applications within the “R(D)” zone. The cumulative effect of approving such similar applications with excessive development intensity would have adverse impacts on the existing and planned traffic and infrastructural provision of the area.

Recommended Advisory Clauses

- (a) to note DLO/YL, LandsD's comments that the applicants have to apply to the LandsD for a land exchange to effect the proposed development. Such application will be considered by LandsD acting in its capacity as a landlord at its sole discretion and there is no guarantee that the land exchange for the proposed development, including the grant of any additional GL, will be approved. In the event that the land exchange application is approved, it would be subject to such terms and conditions, including, among other things, the payment of premium and administrative fee as may be imposed by LandsD at its sole discretion;
- (b) to note C for T's comments that no vehicle is allowed to queue back to or reverse onto/from the Site at any time;
- (c) to note CHE/NTW, HyD's comments that if the proposed run-in is agreed by C for T, the applicants should construct a run-in/out at the access point at Chun Shin Road in accordance with the latest version of Highways Standard Drawing No. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement. His department does not and will not maintain any access connecting the Site and Chun Shin Road. The applicant should be responsible for his own access arrangement. Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (d) to note DEP's comments that the design and construction of septic tank and soakaway system should follow the requirements of the Practice Note for Professional Person (ProPECC) PN 5/93 "Drainage Plans subject to Comment by the Environmental Protection Department" and are duly certified by an Authorized Person (AP). Connecting to a public sewer as proposed in one of the possible sewage methods is not feasible at this stage as there is no public sewer in the subject area. The applicants are reminded to minimize water quality impact by observing good design and practices such as ProPECC PN 1/94 and PN 5/93 during construction and operation, with special attention in setting up perimeter drainage channels at site boundaries;
- (e) to note CE/MN, DSD's comment that there are no existing DSD's sewerage facilities in the vicinity. The applicants are reminded to meet the full satisfaction of DEP, the planning authority of sewerage infrastructure, for the proposed sewage disposal scheme;
- (f) to note CBS/NTW, BD's comments that the Site shall be provided with means of obtaining access thereto from a street under the Building (Planning) Regulations (B(P)R) 5 and emergency vehicular access shall be provided for all the buildings to be erected on the site in accordance with the requirements under the B(P)R 41D. Detailed checking of plans will be carried out upon formal submission of building plans. In accordance with the Government's committed policy to implement building design to foster a quality and sustainable built environment, the applicants should observe the sustainable building design requirements (including building separation, building setback and greenery coverage);
- (g) to note DAFC's comments that there are some abandoned ponds in the vicinity of the Site and a drainage channel to the north. The applicants should be advised to adopt necessary measures to avoid causing pollution to the surrounding ponds and the drainage channel

during both construction and operation of the development;

- (h) to note D of FS's comments that detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans or referral from relevant licensing authority. The EVA provision in the Site shall comply with the standard as stipulated in Section 6 Part D of the Code of Practice for Fire Safety in Buildings 2011 under the Building (Planning) Regulation 41D which is administered by Buildings Department;
- (i) to note DLCS's comments that she reserves the right to comment on the Tree Preservation and Removal Proposal, if applicable, when she receives LandsD's request for advice. There is a roadside landscaped area fallen within the Site ingress/egress, shrubs and trees has been planted on the roadside planter whilst LCSD is responsible for horticultural maintenance and the hard structure is being maintained by HyD. The project proponent should inform her office with detailed information, i.e. affected dimensions and the approval for use of land from LandsD. In general, her office requires a lead time of at least 3 months to adjust the schedule for associated horticultural maintenance. The project proponent should strictly follow the tree preservation procedures in DEVB's TC(W) No. 7/2015 and conduct tree survey if the proposed works would affect the tree; and
- (j) to note DEMS' comments that in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable or overhead line under the mentioned application should approach the electricity supplier (i.e. CLP Power) for requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground electricity cable and/or overhead line within and/or in the vicinity of the Site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the "Code of Practice on Working near Electricity Supply Lines" established under the Regulation when carrying out works in the vicinity of the electricity supply line.