

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

**Approved Application**

	<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>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

**Main Reasons for Rejection:**

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) The approval of the application does not imply that the proposed building design elements could fulfill the requirements under the Sustainable Building Design Guidelines and the relevant requirements under the lease, and that the proposed gross floor area (GFA) concession (including the covered area of the EVA) for the proposed development will be approved/granted by the Building Authority (BA). The applicants should approach the BD and the LandsD direct to obtain the necessary approval. If the building design elements, and the GFA concession are not approved/granted by the BA and the Lands Authority and major changes to the current scheme are required, a fresh planning application to the Town Planning Board may be required;
- (b) to note DLO/YL, LandsD's comments that the ownership particulars of the lots forming the Site have to be examined in details at the land exchange application stage, if applied. The Site has an area of about 1,544.7m<sup>2</sup>, of which site area, site boundaries, lease details, etc. are subject to verification upon application received by his office at land exchange stage. 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.
- (c) 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.
- (d) to note CHE/NTW, HyD's comments that if the access arrangement 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 applicants 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.
- (e) 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). 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
- (f) to note CTP/UD&L, PlanD;s comments that the applicants are reminded that any proposed tree works/tree felling shall be submitted to the relevant authority for approval prior to commencement of works.
- (g) to note CE/MN, DSD's comment that there is an existing DSD's 450mm channel located at the northern part of the Site.

- (h) 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).
- (i) 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.
- (j) to note D of FS's comments that 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.
- (k) to note DLCS's comments that there may be some amenity area with trees near the proposed ingress/egress. The Applicants shall provide a tree survey indicating the trees nearby and the exact location of the proposed ingress/egress in the subsequent land exchange stage. From tree preservation point of view, every possible effort should be made to preserve existing trees on Site as far as possible and minimise the adverse impact to them. Should any trees be inevitably affected, the project proponent should submit a Tree Preservation and Removal Proposal (TPRP) with strong justifications to relevant government departments for consideration and approval in accordance with DEVB Technical Circular (Works) No. 7/2015. The Applicants should submit the TPRP to LandsD for processing and DLCS will provide comment upon request from LandsD.
- (l) to note DEMS' comments that in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organising and supervising any activity near the underground cable or overhead line under application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or within 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 lines. There is a high pressure town gas transmission pipeline running along San Tam Road which is in the vicinity of the Site. The project proponent/consultant/works contractor shall liaise with the Hong Kong and China Gas Company Limited in respect of the exact location of existing or planned gas pipe routes/gas installations in the vicinity of the Site and any required minimum set back distance away from them during the design and construction stages of the proposed development. The project proponent/consultant/works contractor is required to observe the Electrical and Mechanical Services Department's requirements on the "Avoidance of Damage to Gas Pipes 2<sup>nd</sup> Edition" for reference.