

Previous s.16 Applications covering the Application Site

Rejected Applications

| | <u>Application No.</u> | <u>Proposed Use(s)*/ Development(s)</u> | <u>Date of Consideration (RNTPC/TPB)</u> | <u>Approval Condition(s)</u> |
|----|-------------------------------|--|---|-------------------------------------|
| 1. | A/YL-NSW/74 | Proposed New Territories Exempted House (NTEH) (Small House) | 14.4.2000 | 1, 2, 3 |
| 2. | A/YL-NSW/75 | Proposed New Territories Exempted House (NTEH) (Small House) | 14.4.2000 | 1, 2, 3 |
| 3. | A/YL-NSW/76 | Proposed New Territories Exempted House (NTEH) (Small House) | 14.4.2000 | 1, 2, 3 |
| 4. | A/YL-NSW/77 | Proposed New Territories Exempted House (NTEH) (Small House) | 14.4.2000 | 1, 2, 3 |
| 5. | A/YL-NSW/78 | Proposed New Territories Exempted House (NTEH) (Small House) | 14.4.2000 | 1, 2, 3 |
| 6. | A/YL-NSW/79 | Proposed New Territories Exempted House (NTEH) (Small House) | 14.4.2000 | 1, 2, 3 |
| 7. | A/YL-NSW/80 | Proposed New Territories Exempted House (NTEH) (Small House) | 14.4.2000 | 1, 2, 3 |

Rejection Reasons:

1. There is no information in the submission to demonstrate that land is not available within the "Village Type Development" ("V") zone in the district for the proposed development;
2. The proposed development, with a development intensity close to a plot ratio of 3.0, is considered excessive in the "Residential (Group D)" ("R(D)") zone, in which a maximum plot ratio of 0.2 is imposed; and
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 applications would have adverse impacts on the environment and infrastructure provisions of the area.



Recommended Advisory Clauses

- (a) to note the comments of the Commissioner for Transport (C for T) that the future developer will be required to submit a traffic review report, including but not limited to reviewing the vehicular and pedestrian traffic conditions and identifying appropriate mitigation measures to cope with the changes in traffic;
- (b) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) as follows:
 - (i) HyD shall not be responsible for the maintenance of any access connecting the application site and Lau Yip Street;
 - (ii) if the proposed vehicular access point at Lau Yip Street is agreed by Transport Department (TD), the applicant should submit the details of road modification works at Lau Yip Street to TD and HyD for review. No modification works should be implemented unless approval on the modification proposal is obtained from TD and HyD; and
 - (iii) adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (c) to note the comments of the Director of Environmental Protection (DEP) as follows:
 - (i) for the proposed filling of land and excavation of land for the development and the construction site discharges, the future developer shall follow the measures under Environment, Transport and Works Bureau Technical Circular (Works) No. 5/2005 and Practice Note for Professional Persons (ProPECC) PN 1/94 to avoid/minimize water quality impacts for full compliance with the Water Pollution Control Ordinance; and
 - (ii) for the proposed filling of the semi-natural watercourse, the future developer shall follow the Environment, Transport and Works Bureau Technical Circular (Works) No. 5/2005 to better protect natural streams/rivers from the impacts of construction works;
- (d) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that approval of the planning application under Town Planning Ordinance does not imply approval of tree preservation/removal scheme under the lease. Noting that relevant provisions for tree preservation would be imposed under lease to require the future developer to seek the Government's prior written consent for removal of trees within the Site, the future developer shall seek comments and approval from the relevant authority on the proposed tree works and compensatory planting proposal, where appropriate;
- (e) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that in case the land is leased for private development in future, then the works will be subject to the control of the Buildings Ordinance;

- (f) to note the comments of the Director of Electrical and Mechanical Services (DEMS) as follows:
 - (i) in the interest 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 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 in the vicinity of the concerned site; and
 - (ii) the applicant should 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;
- (g) to note the comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD) as follows:
 - (i) the applicant shall submit the proposed building and excavation works to BD for approval as required under the provisions of the Buildings Ordinance; and
 - (ii) the Site is located within Schedule Area No. 2 and may be underlain by cavernous marble. Depending on the nature of foundation, if necessary, of the new development at the proposed area, extensive ground investigation may be required. Such investigation may require a high level of involvement of an experienced geotechnical engineer both in the design and in the supervision of geotechnical aspects of the works required to be carried out on the Site;
- (h) to note the comments of the Director of Leisure and Cultural Services (DLCS) that the proposed run in/run out of the proposed development encroaches some amenity area currently maintained by his office where some trees and vegetation may be affected. The applicant shall strictly comply with the Development Bureau Technical Circular (Works) No. 4/2020 in tree preservation matters; and
- (i) to note the comments of the Director of Food and Environmental Hygiene (DFEH) as follows:
 - (i) no Food and Environmental Hygiene Department (FEHD)’s facilities will be affected and such work and operation shall not cause any environmental nuisance, pest infestation and obstruction to the surrounding;
 - (ii) proper license/permit issued by FEHD is required if there is any catering service/activities regulated by DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public; and
 - (iii) for any waste generated from such activity/operation, the applicant should arrange disposal properly at their own expenses.