

**Previous Applications of the Site**

Application No.	Location	Zoning	Date of Consideration	Decision of the RNTPC	Approval Conditions
A/SK-HC/119 Proposed Low-density Residential Development	Various Lots in DD 210 and Adjacent Government Land	“R(D)” & “R(E)”	24.6.2005	Approved with conditions	(a) to (d)
A/SK-HC/136 Proposed Houses Development	Lot 300, 305RP, 306RP, 307RP, 343A2(Part), 344, 345, 346, 347 and 349RP(Part) in DD 210 and Adjacent Government Land	“R(E)”	2.11.2007	Approved with conditions	(b), (e) to (h)
A/SK-HC/170 Comprehensive Residential Development	Various Lots in DD 210 and Adjoining Government Land	“R(E)”	12.2.2010	Approved with conditions	(b), (c), (f), (g), (h), (i) to (l)

**Approval Conditions**

- (a) the setting back of the development from the road kerb of Hiram's Highway to avoid encroachment upon the project limit of Dualling of Hiram's Highway between Clear Water Bay Road and Marina Cove and Improvement to local access to Ho Chung.
- (b) the provision of emergency vehicular access and/or fire fighting water supplies and fire service installations.
- (c) no population intake should be allowed before the completion of the Dualling of Hiram's Highway between Clear Water Bay Road and Marina Cove/and Improvement to Local Access to Ho Chung.
- (d) the permission should cease to have effect on 24.6.2009 unless prior to the said date either the development hereby permitted was commenced or this permission was renewed.
- (e) the submission and implementation of internal road layout and parking provision.
- (f) the submission and implementation of Luk Cheung Road adjacent to the application site and junction improvement between Luk Cheung Road and Hiram's Highway (before and after the construction of the Road Project "Dualling of Hiram's Highway between Clear Water Bay Road and Marina Cove and Improvement to Local Access to Ho Chung").
- (g) the submission and implementation of landscape and tree preservation proposals.
- (h) the submission of an archaeological survey, and submission and implementation of mitigation measures proposals should significant archaeological deposits be discovered.
- (i) the design and provision of access arrangement and car parking spaces before and after the construction of the Road Project "Dualling of Hiram's Highway between Clear Water Bay Road and Marina Cove and Improvement to Local Access to Ho Chung".
- (j) the provision of traffic signs, as proposed by the applicant.
- (k) the submission of a Drainage Impact Assessment and the provision of drainage facilities identified.
- (l) the implementation of the environmental mitigation measures as proposed.



**Similar Applications**

Application No.	Location	Zoning	Date of Consideration	Decision of the RNTPC	Rejection Reasons/ Approval Conditions
A/SK-HC/90 Proposed Residential Development	Lot 463 in DD 210 and Lot 1297 in DD 244 and Government Land	“R(E)”	2.3.2001	Rejected	(a) to (d)
A/SK-HC/131 Low-density Residential Development and Minor Relaxation of Building Height Restriction	Lots 1298, 1299, 1303(P), 1306A, 1306RP, 1307, 1310(P), 1962(P) in DD 244 and Adjacent Government Land	“R(E)”	7.7.2006	Approved with conditions	(1) to (6)

**Rejection Reasons**

- (a) there is no environmental assessment in the submission to demonstrate that the proposed residential development would be environmentally acceptable and suitable mitigation measures would be implemented to address any potential industrial/residential interface problem, particularly the potential noise impacts arising from the adjacent TV production centre.
- (b) there is no information in the submission to address the likely sewerage impacts of and the flooding risk to the proposed development which is located in a floodplain.
- (c) the proposed development would pose constraint on the drainage improvement works associated with the future improvement work of Ho Chung Road.
- (d) the approval of the application would set an undesirable precedent for similar applications. The approval of such applications would result in adverse cumulative impacts on the environment and infrastructural provision in the area.

**Approval Conditions**

- (1) the submission and implementation of proposal for vehicular access and local road improvement to the existing Ho Chung Road.
- (2) the submission and implementation of stormwater drainage proposal.
- (3) the submission and implementation of tree landscape and preservation proposals.
- (4) the provision of fire services installations and water supply for firefighting.
- (5) the submission of an archaeological survey, and submission and implementation of mitigation measures proposals should significant archaeological deposits be discovered.
- (6) the submission a Geotechnical Planning Review Report and implementation of the mitigation measures identified.



**Advisory Clauses**

- (a) to note the comments of District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD) that the applicants will need to apply for revision of development parameters, site boundary and vehicular access arrangement, etc. of the land exchange proposal. However, there is no guarantee that the proposed land exchange will be eventually approved by Government and proceed to documentation. Such land exchange application, if eventually approved, will be subject to such terms and conditions including the payment of premium as the Government considers appropriate at its discretion;
- (b) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD) that the existing access road connecting between Hiram's Highway and the development is outside the maintenance ambit of HyD and HyD will not fund, construct or maintain the modified access road if necessary. Moreover, the developer shall be responsible for constructing any road works contingent upon the development;
- (c) to note the comments of the Chief Building Surveyor/New Territories East 2 and Rail, Buildings Department (CBS/NTE2 & Rail, BD) that:
- (i) unless the Site abuts on a specified street under Building (Planning) Regulation (B(P)R) 18A(3) of not less than 4.5m wide, its development intensity should be determined by the Building Authority;
  - (ii) the means of obtaining access to the proposed building from a street including the land status of the existing access road should be clarified to demonstrate compliance of B(P)R 5;
  - (iii) emergency vehicular access complying with B(P)R 41D shall be provided for all the buildings;
  - (iv) every private street, cul-de-sac and access road shall be provided in accordance with Building (Private Streets and Access Roads) Regulations;
  - (v) in determining for the purposes of regulations 20, 21 or 22 the area of site on which a building is erected, no account shall be taken of any part of any street or service lane under B(P)R 23(2)(a);
  - (vi) carparking spaces for persons with a disability should be provided in accordance within the Design Manual: Barrier Free Access 2008, Division 3, paragraphs 8 and 9;
  - (vii) PNAP APP-2, HKPSG and the advice of Commissioner for Transport will be referred to when determining exemption of GFA calculation for aboveground or underground carparking spaces;
  - (viii) all plant rooms should be justified for GFA exemption under B(P)R 23(3)(a) and 23(3)(b). Otherwise, they should be GFA accountable;
  - (ix) attention should be drawn to the policy on GFA concessions under PNAP APP-151 in particular the 10% overall cap on GFA concessions and, where appropriate, the Sustainable Building Design requirements under PNAP APP-152; and

- (x) detailed comments will be given during general building plans submission stage.
- (d) to note the comments of the Director of Environmental Protection (DEP) that:
- (i) the potential multiple reflection effect caused by more than one facades locating in close vicinity of window opening (e.g. 1D) shall be addressed;
  - (ii) while a conservative noise reduction of 8 dB(A) is claimed for the enhanced acoustic balconies for Houses 1 and 13, a comparison of window configurations, room sizes, balcony depth, etc. shall be evaluated to substantiate the said noise reduction;
  - (iii) it is also noted that a laboratory test is proposed for verifying the noise reduction for the 4 dB(A) Special Designed Acoustic Balcony. As there were previous cases also adopting similar use of Special Designed Acoustic Balcony, the applicants may like to review if further laboratory testing is considered necessary. Notwithstanding this, a comparison as per comment (ii) above shall be provided;
  - (iv) while the traffic noise results are given in the noise model and a summary is included in the main text, the predicted noise results for House 13 is found missing in Appendix I of **Appendix Ie** of the paper; and
  - (v) on sewerage provision, the applicants should provide an interim on-site sewage treatment plant in accordance with the requirements set out in the ProPECC PN 5/93 and the relevant discharge standards of the Technical Memorandum on Standards for Effluents Discharged into Drainage and Sewerage Systems, Inland and Coastal Waters. Provision of sewerage connection to the public sewers should be made when it is available in the future.
- (e) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/Construction, WSD) that for provision of water supply to the development, the applicants may need to extend their inside services to the nearest suitable government water mains for connection. The applicants shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards;
- (f) to note the comments of the Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD) that the applicants are reminded that adequate stormwater drainage facilities shall be provided in connection with the proposed development to deal with the surface runoff of the Site or the same flowing onto the Site from the adjacent areas without causing any adverse drainage impacts or nuisance to the adjoining areas, both during and after construction;
- (g) to note the following comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):
- (i) when comparing the latest approved scheme, an existing tree T36 (with diameter at breast height (DBH) of approximately 1,080mm) was not recorded previously in the tree assessment schedule and tree preservation proposal. With reference to the latest Tree Assessment Schedule, it is observed that a number of large mature trees within the Site, in particular trees along the site boundary, e.g. tree Nos. T2, T4, T7, T36 will be affected. In considering that the mature tree, T36 bears the character of old and valuable tree (OVT), this potential OVT should be preserved in-situ as far as practicable.



The applicants shall review whether the layout, boundary fence, site formation levels could be adjusted so as to retain these mature trees and integrated with the proposed development; and

- (ii) the tree planting is proposed in a narrow strip of land, approximately 1m in width. According to Chapter 4 (paragraph 2.7.1 c) of the HKPSG, a 3m wide and 1.2m soil depth planting strip along periphery of development site for tree planting is recommended. The applicants should consider setting back the boundary wall to provide adequate for the proposed tree planting.
- (h) to note the comments of the Director of Fire Services (D of FS) that EVA arrangement shall comply with Part VI of the Code of Practice for Means of Access for Firefighting and Rescue administered by Buildings Department. Detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans;
- (i) to note the comments of the Director of Electrical and Mechanical Services (DEMS) the applicants/consultant/works contractor shall liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of the existing or planned gas pipes/gas installations in the vicinity of the Site and any required minimum setback distance away from them during the design and construction stages of the development. The applicants/consultant/works contractor is required to observe the requirements of the Electrical and Mechanical Services Department's "Code of Practice on Avoiding Danger from Gas Pipes" for reference; and
- (j) to note the comments of the Head of the Geotechnical Engineering Office, the Civil Engineering and Development Department (H(GEO), CEDD) that the applicants are reminded that necessary statutory plans should be submitted to BD in accordance with the provisions of the BO.