

**Similar S.16 Applications for Temporary Vehicle Repair Workshop
within/partly within “Agriculture” Zone in the vicinity of the Application Site
in the Ping Che and Ta Kwu Ling Area**

Rejected Applications

Application No.	Uses/Development	Date of Consideration	Rejection Reasons
A/NE-TKL/256	Temporary Vehicle Repair Workshop for a Period of 3 Years	28.5.2004	R1 – R2
A/NE-TKL/574	Proposed Temporary Shop and Services (Car Beauty Services), Vehicle Repair Workshop for a Period of 3 Years	13.10.2017	R3 – R5

Rejection Reasons

- R1 The application site fell within an area zoned "Agriculture" ("AGR"). The "AGR" zone was intended primarily to retain and safeguard good quality agricultural land/farms/fish ponds for agricultural purposes. It was also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. No strong justifications had been provided in the submission for a departure from the planning intention, even on a temporary basis.
- R2 There was insufficient information in the submission to demonstrate that the use under application would not have adverse environmental and traffic impacts on the surrounding areas.
- R3 The development under application was not in line with the planning intention of “AGR” zone in Ping Che and Ta Kwu Ling area which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There was no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.
- R4 The applicants failed to demonstrate in the submission that the development would not cause adverse traffic impact on the surrounding areas.
- R5 The approval of the application would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.

Detailed Comments of Chief Engineer/Mainland North, Drainage Services Department

- (a) the general requirements in the drainage proposal should include:
- (i) surface channel with grating covers should be provided along the site boundary;
 - (ii) the details (invert level, gradient, general sections, etc.) of the proposed drain/surface channel, catchpits and the discharge structure shall be provided;
 - (iii) the cover levels of proposed channels should be flush with the existing adjoining ground level;
 - (iv) catchpit with covers should be provided where there is a change of direction of the channel/drain;
 - (v) catchpits with sand trap shall be provided at the outlets of the proposed drainage system;
 - (vi) the applicant should check and ensure that the existing drainage downstream to which the proposed connection will be made have adequate capacity and satisfactory condition to cater for the additional discharge from the Site. The applicant should also ensure that the flow from the Site will not overload the existing drainage system;
 - (vii) the applicant is reminded that where walls are erected or kerbs are laid along the boundary of the same, peripheral channels should be provided on both sides of the walls or kerbs, and/or adequate openings should be provided at the walls/kerbs to allow existing overland flow passing through the Site to be intercepted by the drainage system of the Site with details to be agreed by DSD;
 - (viii) for those existing drainage facilities to which the applicant proposed to discharge the storm water from the Site is not maintained by DSD, the applicant should identify the owners of the existing drainage facilities to which the proposed connection will be made and obtain consent from the owners prior to commencement of proposed works;
 - (ix) 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 Site any time during or after the works;
 - (x) the proposed drainage works, whether within or outside the site boundary, should be constructed and maintained by the applicant at his own expense;
 - (xi) for works to be undertaken outside the lot boundary, the applicant should obtain prior consent and agreement from DLO/N of LandsD and/or relevant private lot owners;
 - (xii) the applicant should make good all the adjacent affected areas upon the completion of the drainage works;
 - (xiii) the applicant should construct and maintain the proposed drainage works properly and rectify the system if it is found to be inadequate or ineffective during operation; and

- (xiv) clear photos should be submitted showing the current conditions of the existing drainage from the discharge point(s) to the downstream and the existing drainage around the Site.

Detailed Comments of Chief Engineer/Construction, Water Supplies Department

- (a) if diversion is required, existing water mains inside the Site are needed to be diverted outside the site boundary of the proposed development to lie in Government land. A strip of land of minimum 1.5m in width should be provided for the diversion of existing water mains. The cost of diversion of existing water mains upon request will have to be borne by the grantee/applicant. The applicant shall submit all relevant proposal to WSD for consideration and agreement before the works commence;
- (b) if diversion is not required, the following conditions shall apply:
 - (i) existing water mains are affected and no development which requires resiting of water mains will be allowed;
 - (ii) details of site formation works shall be submitted to the Director of Water Supplies for approval prior to commencement of works;
 - (iii) no structures shall be built or materials stored within 1.5m from the centrelines of water mains. Free access shall be made available at all times for staff of the DWS or their contractor to carry out construction, inspection, operation, maintenance and repair works;
 - (iv) no trees or shrubs with penetrating roots may be planted within the Water Works Reserve or in the vicinity of the water mains. No change of existing site condition may be undertaken within the aforesaid area without the prior agreement of the DWS. Rigid root barriers may be required if the clear distance between the proposed tree and the pipe is 2.5m or less, and the barrier must extend below the invert level of the pipe;
 - (v) no planting or obstruction of any kind except turfing shall be permitted within the space of 1.5m around the cover of any valve or within a distance of 1m from any hydrant outlet; and
 - (vi) tree planting may be prohibited in the event that the DWS considers that there is any likelihood of damage being caused to water mains; and:

5-1

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To : Secretary, Town Planning Board

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax : 2877 0245 or 2522 8426

By e-mail : tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates A/NE-TKCL/600

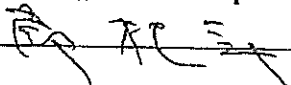
意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

本人對該項申請沒有意見

「提意見人」姓名/名稱 Name of person/company making this comment

簽署 Signature



日期 Date

3-7-2018

5-2

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

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By Fax : 2877 0245 or 2522 8426

By e-mail : tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates A/NE-TKL/600

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

Blank lined area for providing details of the comment.

「提意見人」姓名/名稱 Name of person/company making this comment 侯志強

簽署 Signature [Signature]

日期 Date 16 JUL 2018



中華人民共和國香港特別行政區政府
The Government of Hong Kong Special Administrative Region



北區區議會 North District Council

陳崇輝議員 Frank, Shung Fai Chan District Council Member

規劃署申請編號: A/NE-TKL/600

申請類別: 臨時汽車修理工場(公共工程承建商車輛連附設地盤辦工室)

初步申請年期: 3年

申請地段: DD84 Lot 1 (部份)

致: 城市規劃委員會

你好, 本人是北區區議會 陳崇輝 議員, 得悉上述申請地段貼出貴署徵詢意見的告示, 本辦事處有以下意見:

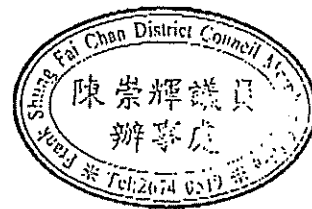
就本辦事處所知及經詳細了解, 此地段經營之汽車維修與一般所見汽車維修廠之申請改變用途有所分別, 以下是所見及查証的分述:

1. 此地段位置偏, 離開民居偏遠, 對附近居民及隣近李屋村村民未有做成影響
2. 此汽車維修工程公司所維修的車輛全是政府基建工程車輛, 包括現在趕工蓮塘口岸工程車, 沙嶺墳場平整地基工程車輛, 以及北區道路維修之工程車輛等等, 由於此地段正正就是相當接近這幾個地盤, 所以如有工程車輛需要維修就不需要離開打鼓嶺, 直接駛往此處, 就不會令交通飽和的沙頭角公路及文錦渡路嚴重負荷此批車輛
3. 如口岸工程維修車輛快捷, 理應可加快政府工程完工進度
4. 實地視察工場環境, 工場是設有穩固之金鑄圍板, 確保內裏進行工程時, 不會影響其他人仕
5. 此地段工場有安裝閉路電視及夜間照明路燈, 其作業有考慮居民需要, 令夜歸女士安心路過, 大大減少罪案發生
6. 直至現在, 本辦事處未有收到任何投訴及反對此處改做汽車維修用途的聲音

就以上述幾點正面理據, 本人表示支持及不反對此地段改作維修公共工程承建商工程車的用途, 亦希望貴署可批准此地段改變為汽車維修用途的申請

如有查詢, 請致電 [REDACTED] 與本辦事處聯絡

敬祝安康!



陳崇輝議員辦事處

2018年7月16日

新界打鼓嶺坪壘路 198 號 No. 198, Ping Che Road, Ta Kwu Ling, Fanling, N.T.

電話 Tel: 2674 0519 傳真 Fax: 2674 0192

tpbpd

寄件者: eap@kfbg.org
寄件日期: 19日07月2018年星期四 10:07
收件者: tpbpd@pland.gov.hk
主旨: KFBG's comments on some planning applications
附件: 180719_s16_TKL_600.pdf; 180719 s16 HT 9.pdf

5-4

> Dear Sir/ Madam,
>
> Attached please see our comments regarding the captioned.
>
> Best Regards,
>
> Ecological Advisory Programme
> Kadoorie Farm and Botanic Garden

(

(

The Secretary,
Town Planning Board,
15/F, North Point Government Offices,
333, Java Road, North Point,
Hong Kong.
(Email: tpbpd@pland.gov.hk)

19th July, 2018.

By email only

Dear Sir/ Madam,

Proposed Temporary Vehicle Repair Workshop with Ancillary Site Office for
Contractor Vehicles serving Public Works for a Period of 3 Years
(A/NE-TKL/600)

1. We refer to the captioned.
2. There was one planning application for 'temporary open storage of construction materials for 12 months' (i.e., A/NE-TKL/110) located opposite to the current application site. According to the information made available for the current application posted by the Planning Department, structure(s) for storage/ open storage/ workshop/ factory is claimed to be 'in existence immediately before the IDPA Plan' at the application site of A/NE-TKL/110. However, both the application for planning permission and the review application under A/NE-TKL/110 were still rejected; the reasons for both rejections are reproduced, as follows:

Rejection of application for planning permission

(a) *The subject site falls within an area zoned "Agriculture" ("AGR"). The planning intention of the "AGR" zone is to retain and safeguard agricultural land for agricultural purposes and to retain fallow arable land with potential for rehabilitation. No strong justifications have been provided in the submission for a departure from the planning intention, even on a temporary basis;*

(b) *The subject open storage use is not compatible with the surrounding land uses which are predominantly agricultural and rural in character;*

(c) *No information has been provided in the submission to demonstrate that the subject open storage use would not have adverse drainage impacts on the surrounding areas;*

and

(d) The approval of the application would set an undesirable precedent for other similar applications. The cumulative effect of approving such similar applications would result in a general degradation to the environment of the area.

Rejection of review application

(a) The subject site falls within an area zoned "Agriculture" ("AGR"). The planning intention of the "AGR" zone is to retain and safeguard agricultural land for agricultural purposes and to retain fallow arable land with potential for rehabilitation. No strong justifications have been provided in the submission for a departure from the planning intention, even on a temporary basis;

(b) The subject open storage use is not compatible with the surrounding land uses which are predominantly agricultural and rural in character;

*(c) No information has been provided in the submission to demonstrate that the subject open storage use would not have adverse drainage impacts on the surrounding areas;
and*

(d) The approval of the application would set an undesirable precedent for other similar applications. The cumulative effect of approving such similar applications would result in a general degradation to the environment of the area.

3. The proposed use is unlikely to be in line with the planning intention of the AGR zone. We also urge the Board to consider the potential cumulative impacts of approving this application on the AGR zone. We urge the Board to reject this application.

4. Thank you for your attention.

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden

cc. Designing Hong Kong

tpbpd

寄件者: [REDACTED]
寄件日期: 20日07月2018年星期五 2:44
收件者: tpbpd
主旨: A/NE-TKL/600 DD 84 Ping Che

5-5

A/NE-TKL/600
Lot 1 (Part) in D.D. 84, Ping Che, Ta Kwu Ling
Site area : About 391m²
Zoning : "Agriculture"
Applied Use : Vehicle Repair Workshop'

Dear TPB Members,

The application would appear to legitimize unapproved land use.

Such brownfield use is incompatible with the zoning. Vehicle repair work involves the spillage of oils and toxic chemicals that leach into the ground.

The proposed use is not in line with the planning intention of the "Agriculture" ("AGR") zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and also to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the current submission for a departure from the planning intention.

TPB must reject this application to discourage the proliferation of brownfield sites and to encourage operators of this kind of business to move to custom built industrial estates equipped with the necessary facilities.

Mary Mulvihill

tpbpd

寄件者: Tobi Lau (WWF-HK) <tlau@wwf.org.hk>
寄件日期: 20日07月2018年星期五 14:59
收件者: tpbpd@pland.gov.hk
主旨: s16 Ping Che A_NE-TKL_600_WWF
附件: A_NE-TKL_600_2018 07(Jul)_WWF.pdf

5-6

Dear Sir/Madame,

Please find WWF-Hong Kong's submission on the captioned planning application. See attached file:
A_NE-TKL_600_2018 07(Jul)_WWF

Thank you for your attention.

Yours faithfully,

Tobi LAU

Senior Conservation Officer, Local Biodiversity

World Wide Fund For Nature Hong Kong

Registered Name 註冊名稱: World Wide Fund For Nature Hong Kong 世界自然(香港)基金會
(Incorporated in Hong Kong with limited liability by guarantee 於香港註冊成立的擔保有限公司)



世界自然基金會
香港分會

WWF-Hong Kong

香港新界葵涌葵昌路 8 號
萬泰中心 15 樓
15/F, Manhattan Centre
8 Kwai Cheong Road
Kwai Chung, N.T., Hong Kong

電話 Tel: +852 2526 1011
傳真 Fax: +852 2845 2764
wwf@wwf.org.hk
wwf.org.hk

20 July 2018

Chairman and members
Town Planning Board
15/F North Point Government Offices,
333 Java Road, North Point, Hong Kong
(E-mail: tpbpd@pland.gov.hk)

By E-mail ONLY

Dear Sir/Madam,

Re: Proposed Temporary Vehicle Repair Workshop with Ancillary Site Office for Contractor Vehicles serving Public Works for a Period of 3 Years in "Agriculture" zone in Ping Che, Ta Kwu Ling (A/NE-TKL/600)

WWF would like to object to the captioned application.

Not in line with the planning intention

The development under application, even on temporary basis, is not in line with the planning intention of the "Agriculture" ("AGR") zone in Ping Che and Ta Kwu Ling area which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

"Develop first, application later"

According to the site visit on 5 July 2018, it was found that the application had been already in usage for vehicle repair workshop (Fig 1). This change of land use and modification is prior to government departments' consent and the Town Planning Board's approval. The modification had changed the land to be no more appropriate for agricultural uses. We urge the board not to tolerate such act that has damaged the agriculture land irreversibly.

together possible™

主席： 何爾達先生
行政總裁： 江偉章先生

報務核數師：香港立信德業會計師事務所有限公司
報務公司秘書：鄭信佳證券有限公司
報務律師：打士打律師行
報務司庫：匯豐銀行
註冊慈善機構

Chairman: Mr Edward M. Ho
CEO: Mr Peter Combivante

Honorary Auditors: BDO Limited
Honorary Company Secretary:
McCabe Secretarial Services Limited
Honorary Solicitors: Mayer Brown JSM
Honorary Treasurer: HSBC
Registered Charity
(Incorporated With Limited Liability)

註冊名稱 Registered Name: 世界自然(香港)基金會 World Wide Fund For Nature Hong Kong
(於香港註冊成立的擔保有限公司 Incorporated in Hong Kong with limited liability by guarantee)

No information from environmental perspective


According to the Gist, Ping Yuen River is running across to the east of the application site and connected with the farmlands down to the south. However, no information was provided in the submission to demonstrate that the subject land use would not have adverse drainage impacts, environmental nuisances such as contamination to the river or cause flooding on the surrounding areas including the farmlands to its south.

Undesirable precedent

The approval of the application will set an undesirable precedent for other similar applications, the cumulative effect will result in general degradation of the environment of the area.

We would be grateful if our comments could be considered by the Town Planning Board.

Regards,



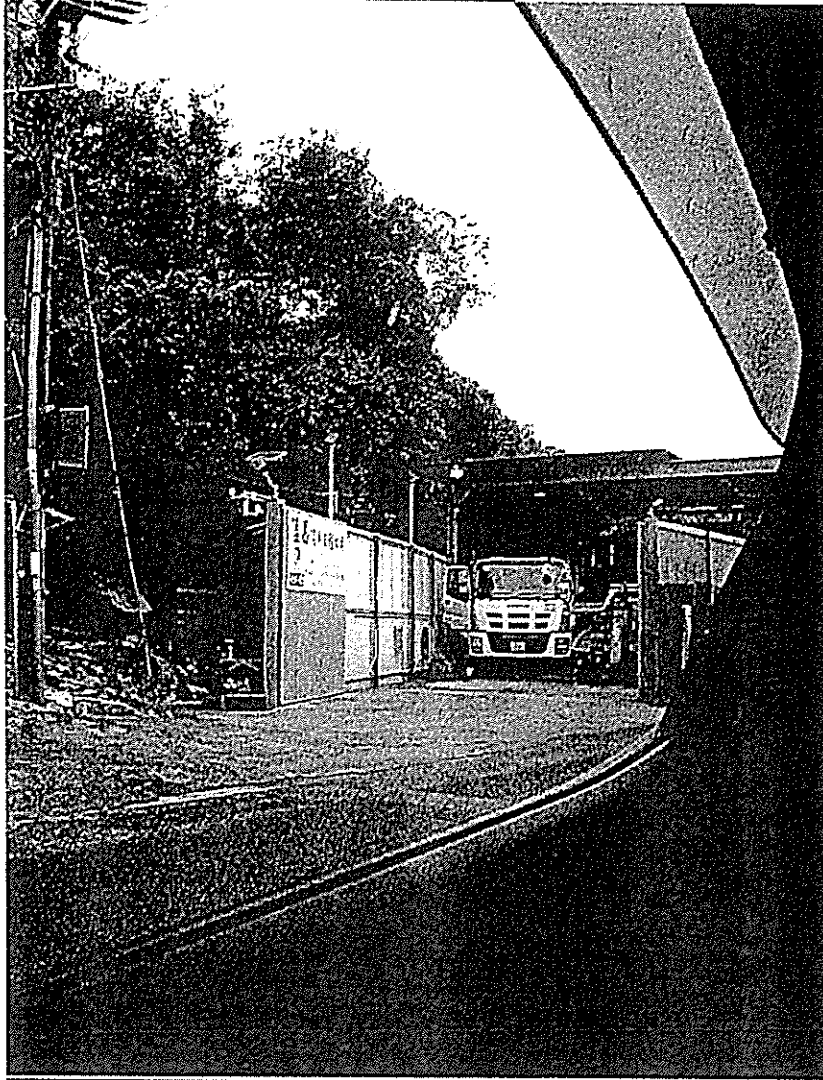
Tobi Lau (Mr.)
Senior Conservation Officer, Local Biodiversity

Fig 1 Ping Yuen River is adjoining the application site that connected to the farmland to its south



Image source; Geoinfo. Lands Department., HKSAR Government. Accessed on 20 Jul 2018.

Fig 2 The application site was already changed the land use as vehicle repair workshop (Photo taken on 5 July 2018)



tpbpd

寄件者: Suet Mei Wong <wsuetmei@hkbws.org.hk>
寄件日期: 20日07月2018年星期五 17:00
收件者: tpbpd@pland.gov.hk
副本: HKBWS HKBWS
主旨: HKBWS's comments on the planning application for the proposed Temporary Vehicle Repair Workshop with Ancillary Site Office for Contractor Vehicles serving Public Works at Ping Che (A/NE-TKL/600)
附件: 20180720_PingChe_VehicleRepair_A_NE_TKL_600.pdf

5-7

Dear Sir/Madam,

The Hong Kong Bird Watching Society's comments on the planning application for the proposed Temporary Vehicle Repair Workshop with Ancillary Site Office for Contractor Vehicles serving Public Works for a Period of 3 Years at Ping Che, Ta Kwu Ling (A/NE-TKL/600) is attached.

Thank you.

Best Regards,
Wong Suet Mei

--
Wong Suet Mei
Assistant Conservation Officer
The Hong Kong Bird Watching Society
7C, V Ga Building, 532 Castle Peak Road, Lai Chi Kok, Kowloon, Hong Kong

Secretary, Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point, Hong Kong
(E-mail: tpbpd@pland.gov.hk)



By email only

20 July 2018

香港觀鳥會
THE
HONG
KONG
BIRD
WATCHING
SOCIETY
Since 1957 成立

Dear Sir/Madam,

Comments on the planning application for the proposed Temporary Vehicle Repair Workshop with Ancillary Site Office for Contractor Vehicles serving Publich Works for a Period of 3 Years at Ping Che, Ta Kwu Ling (A/NE-TKL/600)

The Hong Kong Bird Watching Society (HKBWS) objects to the planning application based on the following reasons.

1 Not in line with the planning intention of the "Agriculture" (AGR) zoning

The application site is located within the AGR zone, where the planning intention is "to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes". From Google Earth aerial photograph in 2000 and 2017, there were active farmlands near the application site (Figure 1). Therefore, we consider that the site has potential for farmland rehabilitation.

2 Potential adverse sewage impacts of the proposed development

The proposed vehicles repair works will unavoidably be associated with sewage including leaking oil, cleansing residue and substances like heavy metal. All these may follow the surface runoff and will be drained directly into the adjoining Ping Yuen River through the proposed catch-pit (Figure 2). The water course will be contaminated. However, no information is provided to indicate if any sewerage is expected to be generated from the proposed development and how it will be treated. We are concerned the proposed development would cause adverse ecological impacts on the nearby streams and natural habitats if the sewerage from the proposed development is not properly treated.



3 The Town Planning Board should not encourage “destroy first, build later”

3.1 An Enforcement Notice (Case no. E/NE-TKL/375) for the unauthorized development of workshop was issued at the application site on 14 March 2018. It is still in operation as observed during the site observation conducted on July 2018 (Figure 3).

3.2 From Google Earth aerial photographs, landscape changes were seen at the application site (Figure 1). We consider that this is “destroy first, build later”. We are concerned the approval of the current application would further legitimize the current misuse of the AGR zone, leading to the promotion of “destroy first, develop later” attitudes among landowners in the locality. As the Board has suggested that *“the Board will not tolerate any deliberate action to destroy the rural and natural environment in the hope that the Board would give sympathetic consideration to subsequent development on the site concerned.”*¹ We urge the Board to reject this application.

4 Set an undesirable precedent to the future development

As there are active agricultural land nearby, the approval of this application will set an undesirable precedent to the future similar applications within the AGR zone as well as the existing agricultural cluster, and thus nullifying the statutory planning control mechanism. We urge the Board to reject this application in order to protect AGR zone from any development threats.

5 Justifications for the decision and comments made by Government departments and the Board

According to the Hong Kong Planning Standards and Guidelines (HKPSG), Chapter 10, Section 2.1 (iii), the Board has the responsibility to *“control adjoining uses to minimise adverse impacts on conservation zones and optimise their conservation value”*. We note that all other Government bureaux/departments are also bound to the HKPSG, the Agriculture, Fisheries and Conservation Department (AFCD) and the Planning Department (PlanD) has the responsibility to advise the Board on the ecological and planning aspects in particular². Given AFCD’s mission to conserve natural environment and safeguard the ecological integrity³ and the proposed development is not in line with the planning intention of the statutory zoning, HKBWS would also expect AFCD and PlanD to object this application. Should AFCD, PlanD or

¹ TPB Press Release. Available at:
<http://www.info.gov.hk/gia/general/201107/04/P201107040255.htm>

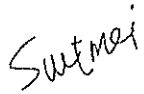
² AFCD Role of Department. Available at:
http://www.afcd.gov.hk/english/aboutus/abt_role/abt_role.html

³ AFCD Vision and Mission. Available at:
http://www.afcd.gov.hk/english/aboutus/vision_mission/abt_vision_mission.html

the Board feels otherwise, we urge that the appropriate justifications are provided.

The HKBWS respectfully requests the Board to take our comments into consideration and reject the current application. Thank you for your kind attention.

Yours faithfully,

A handwritten signature in black ink that reads "Suet Mei". The signature is written in a cursive, slightly slanted style.

Wong Suet Mei
Assistant Conservation Officer
The Hong Kong Bird Watching Society

cc.

The Conservancy Association
Designing Hong Kong
Kadoorie Farm and Botanic Garden
WWF – Hong Kong

Figure 1. The Google Earth aerial photographs show the landscape change at the site (marked by red color), such as building of structure, at the site between 2000 and 2017. There are active farmland clustered near the site. We consider the site has potential for farmland rehabilitation.

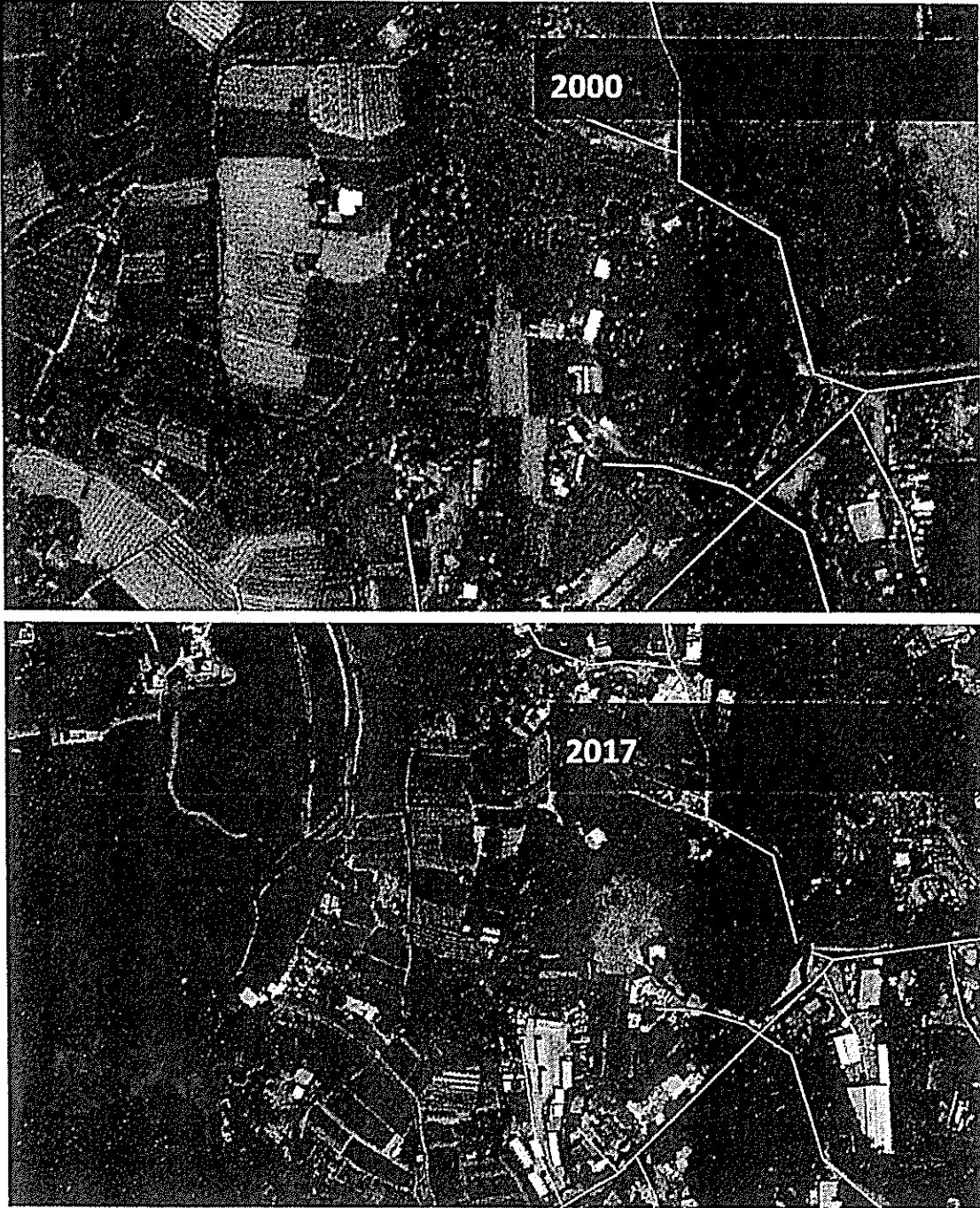


Figure 2. The map extracted from GeoInfo Map illustrates the location of the site and its proposed catch-pit (marked in black) are adjacent to Ping Yuen River. We concerned the untreated sewage will contaminate the river and cause adverse ecological impacts. (The application site is marked with red color)

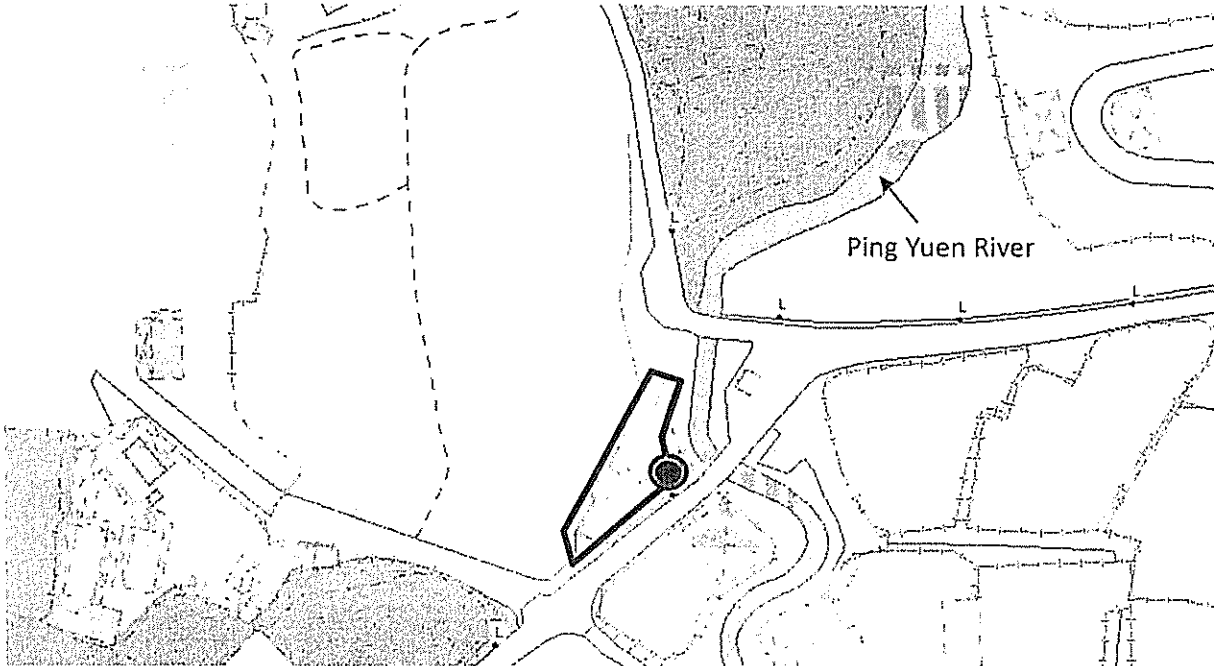
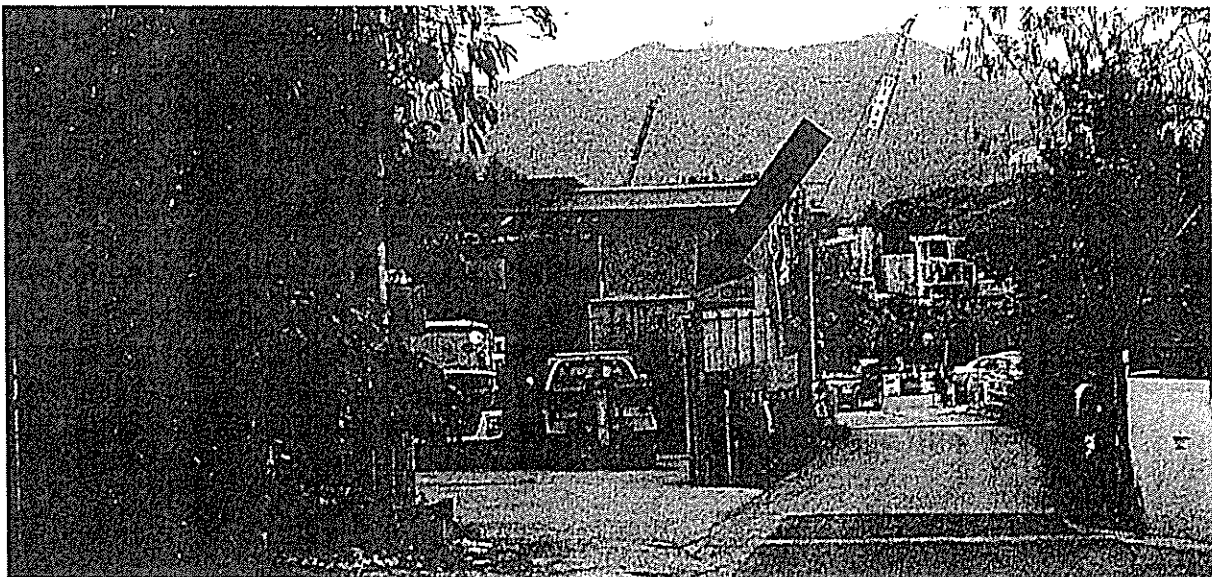


Figure 3. The photo was taken during the site observation on July 2018. It is shown that the unauthorized vehicle repair workshop (marked by red arrow) was still in operation. The approval of this application will set an undesirable precedent to the similar application in AGR zone.



Recommended Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the Site;
- (b) to note the comments of the District Lands Officer/North, Lands Department that:
 - (i) he noted that:
 - (a) the occupation boundary and application boundary of the Site does not tally; and
 - (b) an unauthorized structure was erected within the occupation boundary of the application lot;
 - (ii) the unauthorized structure concerned is not acceptable under the Lease. His office reserves the right to take necessary lease enforcement actions against it; and
 - (iii) the owners of the lot shall apply to his office for a Short Term Waiver (STW) to regularize the illegal structure erected on the Site. The application for STW will be considered by Government in its landlord's capacity and there is no guarantee that they will be approved. If the STW application is approved, its commencement date would be backdated to the first date of occupation, and it will be subject to such terms and conditions to be imposed including payment of waiver fee and administrative fees as considered appropriate by his office.
- (c) to note the comments of the Director of Environmental Protection (DEP) that:
 - (i) the applicant is reminded that there is no existing public sewer near the Site, the nearest public sewer is along Ping Che Road which is about 250m away from the Site. To avoid water quality pollution to the nearby Ping Yuen River, the applicant should be advised to connect drainage serving covered areas to a septic tank and soakaway system via petrol interceptor to comply with requirements of ProPECC PN 5/93 Section 7(vii), 8 and 9. Open areas of the Site should be served by drainage channels connected to stormwater drains via petrol interceptor;
 - (ii) the applicant should be advised to comply with the requirements of ProPECC PN 5/93 Section 8 & 9 in the treatment and disposal of sewage, or provide chemical toilet which involves no discharge; and
 - (iii) the applicant should be reminded of the obligation to comply with all environmental protection/pollution control ordinances, in particular Water Pollution Control Ordinance, and to follow relevant noise and sewage mitigation measures and requirements in the latest "Code of Practice on Handling Environmental Aspects of Open Storage and Temporary Uses (COP)" as given in Notes to Annex I of the COP.
- (d) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that inadequate planting area was observed along the eastern and southern boundary fence for tree planting, and as there is no major public frontage along the site boundary, it is not necessary to impose a landscape condition as its effect on enhancing the quality of public realm is not apparent.

- (e) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department that:
- (i) the Site is in an area where no public sewer connection is available. EPD should be consulted regarding the sewage treatment/disposal aspects of the proposed development and the provision of septic tank;
 - (ii) the drainage proposal proposed in the application is not acceptable;
 - (iii) the Site is adjacent to a section of Ping Yuen River which is protected under the Land Drainage Ordinance (LDO). The requirements/conditions in LDO are applied if the works/development under this application would affect this river;
 - (iv) there were flooding complaints received related to this area. The applicant should provide adequate drainage system accordingly to safeguard his/her interest; and
 - (v) the general requirements in the drainage proposal are appended in **Appendix III**.
- (f) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that:
- (i) existing water mains are inside the Site and will be affected. The applicant is required to either divert or protect the water mains found on site with detailed comments appended in **Appendix IV**; and
 - (ii) for provision of water supply to the development, the applicant may need to extend the inside services to the nearest suitable government water mains for connection. The applicant 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.
- (g) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) if the existing structures are erected on leased land without approval of the BD (not being a New Territories Exempted House), they are unauthorized under the Buildings Ordinance (BO) and should not be designated for any approved use under the application;
 - (ii) before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Site, the prior approval and consent of the BA should be obtained, otherwise they are unauthorized building works (UBW). An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - (iii) for UBW erected on leased land, enforcement action may be taken by the BA to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO;
 - (iv) the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)Rs) respectively; and

- (v) if the Site does not abut a specified street of not less than 4.5m wide, its development intensity shall be determined under Regulation 19(3) of the B(P)Rs at the building plan submission stage.
- (h) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that:
 - (i) the Site is adjacent to Ping Yuen River. The applicant should be reminded to perform good site practice to prevent surface run-off and debris from polluting the river nearby; and
 - (ii) there is a woodland to the immediate northeast of the Site. The applicant should be reminded not to disturb/damage any tree in the woodland nearby.