

Similar Applications within the same “CDA” zone on the Tuen Mun OZP

Approved Applications

Application No.	Proposed Development	Date of Consideration	Approval Conditions
A/TM/262	Proposed Comprehensive Residential Development	2.2.2001	(1) to (9)
A/TM/314	Proposed Comprehensive Residential Development, Minor Relaxation of Building Height and Site Coverage Restrictions (Resubmission of Previously Approved Planning Application No. A/TM/262)	14.5.2004	(1) to (9)
A/TM/323	Minor Amendments to an Approved Scheme for Comprehensive Residential Development	4.10.2004	(1) to (11)
A/TM/331	Proposed Comprehensive Residential Development, Minor Relaxation of Building Height and Site Coverage Restrictions (Amendments to a Scheme Previously Approved under Application No. A/TM/314)	14.9.2007	(1) to (7), (10) to (11)
A/TM/331-1	Proposed Comprehensive Residential Development, Minor Relaxation of Building Height and Site Coverage Restrictions (Amendments to a Scheme Previously Approved under Application No. A/TM/314)	28.2.2008	(1) to (7), (10) to (12)
A/TM/331-2	Proposed Comprehensive Residential Development, Minor Relaxation of Building Height and Site Coverage Restrictions (Amendments to a Scheme Previously Approved under Application No. A/TM/314)	31.5.2011	(1) to (7), (10) to (12)

Approval Conditions

- (1) The submission and implementation of a revised Master Layout Plan (MLP) to incorporate the approval conditions.
- (2) The submission and implementation of a master landscape plan, including a tree survey report with a tree preservation and compensatory planting proposal.
- (3) The submission and implementation of a development programme for the proposed development.
- (4) The provision of emergency vehicular access, water supplies for fire fighting and fire services installations.
- (5) The submission of a revised traffic impact assessment and the implementation of the mitigation/improvement measures identified therein, and the provision of loading/unloading bays as well as the setting back of the boundary of the site to accommodate these loading/unloading bays.
- (6) The provision of a centralized refuse collection point for off-street refuse collection operation with appropriate vehicular access to serve the proposed development.
- (7) The submission of a revised drainage impact assessment and the provision of flood mitigation measures and drainage facilities.
- (8) The submission of an impact assessment on dam break of the Tai Lam Chung Reservoir and the implementation of mitigation measures identified therein.
- (9) The submission of a revised noise assessment report to take into account the noise generated from the existing industrial activities in Phase 2 of the proposed development and the implementation of noise mitigation measures identified therein.
- (10) The design and provision of parking facilities including motorcycle parking spaces.
- (11) The setting back of the site boundary to cater for footpath requirements along the site boundary.
- (12) The implementation of noise mitigation measures identified in the accepted noise assessment report therein.

Detailed Departmental Comments

1. Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

Highway Maintenance Viewpoint

- (i) The proposed sewerage works should be subject to the approval of CE/MN,DSD.
- (ii) Settlement markers shall be installed on public roads / pavements surrounding the site for the proposed works. They shall be removed and the areas reinstated, at the applicant's own cost, upon completion of the works.
- (iii) Records of adjoining ground levels should be taken periodically on site. If any settlement on the adjacent public roads occurs due to the works, the applicant should stop the works immediately and report the case to this Regional Office within two working days.
- (iv) The applicant should take note that any damage to the public footpath/road and other highway furniture arising from his sewerage works or its related construction activities shall be immediately reinstated to the current highway standards and to our satisfaction at the applicant's expense.
- (v) No site drainage contaminated with cement/grout/sand/silt should be discharged to exclusive road drains. Adequate drainage measures including interception channel should be provided to prevent surface water flowing from the works area onto the public road and open channel.
- (vi) The applicant should check on site to ensure that no sewer, drain, or any other utility will be damaged by the works. If any sewer, drain or utility is so damaged, the applicant should bear the cost for all necessary repair works and any consequence so caused.
- (vii) The applicant should seek comment from Lighting Division of this Department if public lightings are affected.
- (viii) Excavation Permit shall be obtained from his Regional Office prior to commencement of excavation works on public road/footpath.
- (ix) If the roadside planter/plants would be affected by the proposed works, the applicant should seek comments from LCSD.

"Widening of Castle Peak Road - Castle Peak Bay" project Viewpoint

- (x) The CPR-CPB project is currently under judicial review (JR) proceedings and the implementation programme is under review. The applicant should keep his office informed of the latest status of their development and advise the tentative programme of the Scheme.

2. Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

- (i) An AVA Initial Study (IS) using computational fluid dynamic modelling has been carried out to support the captioned application. Two scenarios, i.e. the Baseline Scheme (i.e. the approved scheme under s.12A application no. Y/TM/16) and the Proposed Scheme, have been studied. As set out in the AVA IS report, mitigation measures including (i) three building separations; (ii) podium-free design; and (iii) stepped building height design, have been incorporated in the Proposed Scheme with the aim to address the potential adverse air ventilation impact induced by the proposed development on the surroundings.
- (ii) According to the simulation results, the overall performances of the Baseline and Proposed Schemes on pedestrian wind environment are comparable under both annual and summer conditions. Based on the above consideration, it is not anticipated that the proposal under the current application with the above mitigation measures would generate any significant adverse impact on the pedestrian wind environment when compared with the Baseline Scheme.

3. Comments of the Director of Agriculture, Fisheries and Conservation (DAFC) (DAFC):

During their recent visit to the Site, it is found that many of the trees proposed to be felled were not located on steep slope except for those growing on the eastern part of the Site. Based on their observation, some of the affected trees are in good or fair conditions such as A43, A89, (should be *Michelia champaca* 黃蘭 instead of *Michelia x alba* 白蘭) and A572. Should the application be justified, the applicant should be advised to consider tree retention in-situ and minimize tree felling as far as practicable.

Recommended Advisory Clauses for Application No. A/TM/532

- (a) To note the comments of the District Lands Officer/Tuen Mun, Lands Department that:
- (i) the applicant may consider approaching DLO/TM, LandsD to re-start the processing of the land exchange application taking into account the approved proposal. However, there is no guarantee that the land exchange application and in particular the inclusion of Government land will be approved and she reserves her position on such. The land exchange application will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event that the application is approved, it would be subject to such terms and conditions as the Government shall deem fit to do so, including, among others, charging of premium and fees as may be imposed by LandsD;
 - (ii) concerning the two private lots which are excluded from the land exchange application but included as Phase B of the subject planning application, no structure shall be allowed to be erected in or above or below the lots under the existing lease conditions;
 - (iii) she notes that Phase B comprises two private lots (Lot 248 RP in D.D. 375 and Lot 444 in D.D. 374) and are separated. The PR of Phase B is all to be provided in Lot 248 RP while Lot 444 will not be built upon. She reserves her comments when application to LandsD is received and there is no guarantee that approval will be given; and
 - (iv) the applicant should provide and/or maintain pedestrian and/or vehicular access, where appropriate, to serve local villagers nearby and those land-locked private lots which are not under its ownership.
- (b) To note the comments of the Director of Agriculture, Fisheries and Conservation that the applicant should consider tree retention in-situ and minimize tree felling, and to avoid disturbance to adjacent environment as far as practicable.
- (c) To note the comments of the Chief Building Surveyor/New Territories West, Buildings Department that:

- (i) if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the BD, they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any approved use under the captioned application;
 - (ii) before any new building works (including containers/open sheds as temporary buildings and connection of drains) are to be carried out on the Site, prior approval and consent of the BD should be obtained, otherwise they are 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 BD 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) in connection with (ii) above, 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 respectively;
 - (v) if the Site does not abut on a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the Building (Planning) regulation at the building plan submission stage; and
 - (vi) formal submission under the BO is required for any proposed new works, including any temporary structures. Detailed comments will be made at the building plan submission stage.
- (d) To note the comments of the Director of Fire Services that the Emergency Vehicular Access arrangement shall comply with the Code of Practice for Fire Safety in Buildings 2011 administered by BD. Detailed fire safety requirements will be formulated upon receipt of formal submission of general

building plan and referral from relevant licensing authority.

- (e) To note the comments of the Chief Highway Engineer/New Territories West, Highways Department that:

General Comments on the application

- (i) If the above access arrangement is agreed by TD, the applicant should construct a run in/out at the access point at Kwun Chui 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;
- (ii) the applicant should design and construct the proposed roadworks in accordance with the latest version of Highways Standard to the satisfaction of HyD and TD;
- (iii) adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (iv) the applicant should keep his office informed of the latest status of their development and advise the tentative programme of the Scheme;

Comments on the Proposed Sewer Across So Kwun Wat Road

- (v) settlement markers shall be installed on public roads / pavements surrounding the site for the proposed works. They shall be removed and the areas reinstated, at the applicant's own cost, upon completion of the works;
- (vi) records of adjoining ground levels should be taken periodically on site. If any settlement on the adjacent public roads occurs due to the works, the applicant should stop the works immediately and report the case to this Regional Office within two working days;
- (vii) any damage to the public footpath/road and other highway furniture arising from his sewerage works or its related construction activities shall be immediately reinstated to the current highway standards and to our satisfaction at the applicant's expense;

- (viii) no site drainage contaminated with cement/grout/sand/silt should be discharged to exclusive road drains. Adequate drainage measures including interception channel should be provided to prevent surface water flowing from the works area onto the public road and open channel;
 - (ix) the applicant should check on site to ensure that no sewer, drain, or any other utility will be damaged by the works. If any sewer, drain or utility is so damaged, the applicant should bear the cost for all necessary repair works and any consequence so caused;
 - (x) the applicant should seek comment from Lighting Division of this Department if public lightings are affected;
 - (xi) Excavation Permit shall be obtained from his Regional Office prior to commencement of excavation works on public road/footpath; and
 - (xii) if the roadside planter/plants would be affected by the proposed works, the applicant should seek comments from LCSD.
- (f) To note the comments of the Chief Engineer/Construction, Water Supplies Department that:
- (i) existing water mains will be affected. All of the cost of any necessary diversion shall be borne by the developer; and
 - (ii) as the Site is within existing salt water supply zone, salt water instead of TMF should be provided to the proposed development for flushing purpose.
- (g) To note the comments of the Director of Electrical and Mechanical Services 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 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 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.