

Previous s.16 Applications covering the Application Site

Approved Application

	<u>Application No.</u>	<u>Applied Use(s)/Development(s)</u>	<u>Zoning(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Conditions</u>
1	A/YL-LFS/156	Proposed Residential Development	R(C) & R(D)	27.7.2007 by RNTPC	1, 2, 3

Approval conditions:

1. The submission and implementation of a landscape proposal
2. The submission of a drainage proposal, provision and maintenance of drainage facilities proposed
3. The provision of emergency vehicular access, water supply for fire fighting and fire service installations

Detailed comments of concerned Government departments

**Detailed comments of Chief Engineer/Mainland North, Drainage Services
Department (CE/MN, DSD)**

- (a) He has no objection in principle to the proposed application from drainage point of view. He provides comments on the submitted drainage proposal at below:
- (i) Please demonstrate with hydraulic calculation that the proposed drainage facilities are adequate to collect, convey and discharge the surface runoff accrued on application site and the overland flow intercepted from the adjacent lands
 - (ii) The full alignment of the discharge path from the Site all the way down to the ultimate discharge point (e.g. a well-established stream course/public drainage system) should be indicated on plan. The relevant connection details should be provided for comment. In the case that local village drains are involved, DO/YL should be consulted.
 - (iii) Further to (i) above, since there is no record of the said discharge path, please provide evidence (e.g. site photos) to demonstrate its presence/existing condition.
 - (iv) The gradients and the sizes of the proposed U-channels should be shown on the drainage plan.
 - (v) The proposal should indicate how the runoff (the flow direction) within the site would be discharged to the proposed u-channel.
 - (vi) Consideration should be given to provide grating for the surface channels
 - (vii) The cover levels and invert levels of the proposed u-channels, catchpits/sand traps should be shown on the drainage plan.
 - (viii) Cross sections showing the existing and proposed ground levels of the captioned site with respect to the adjacent areas should be given.
 - (ix) Sand trap or provision alike should be provided before the collected runoff is discharged to the public drainage facilities.
 - (x) Standard details should be provided to indicate the sectional details of the proposed u-channel and the catchpit/sand trap.
 - (xi) Where walls or hoarding are erected are laid along the site boundary, adequate opening should be provided to intercept the existing overland flow passing through the site.
 - (xii) The development should neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent

areas, etc.

- (xiii) The applicant should consult DLO/YL and seek consent from the relevant owners for any drainage works to be carried out outside his lot boundary before commencement of the drainage works.

Advisory Clauses

- (a) to note the comments of the District Lands Officer/Yuen Long of Lands Department (DLO/YL, LandsD) that Lot No. 16 S.A, 16 S.B, 16 RP, 17 S.A ss.1, 17 S.A RP, 17 S.B, 17 S.C and 17 RP all in D.D. 128 are New Grant Agricultural Lots held under Tai Po New Grant No. 4855 which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. The remaining lots in the Site are Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. No permission is given for occupation of Government Land (GL) (about 645 m² subject to verification) included in the Site. The act of occupation of GL without Government's prior approval is not allowed. The Site is accessible to Deep Bay Road through GL. Her office provides no maintenance works to the GL involved and does not guarantee any right-of-way over the GL to the Site. The Site does not fall within any Airfield Height Restriction Area. The lot owner(s) will need to apply to her office to permit the structures to be erected or regularize any irregularities on site. Besides, the applicant has to either exclude the GL from the Site or apply for a formal approval prior to the actual occupation of the GL. Such application(s) will be considered by the Lands Department acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such application(s) will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by the Lands Department.
- (b) to note the comments of the Director of Environmental Protection (DEP) that the applicant should minimise any noise from the proposed use such as prohibiting the use of loudspeakers so that it would not cause any environmental nuisance to nearby sensitive receivers. The applicant should follow the relevant mitigation measures and requirements in the revised "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" ("COP") to minimise any potential environmental nuisance.
- (c) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):
- (i) Please demonstrate with hydraulic calculation that the proposed drainage facilities are adequate to collect, convey and discharge the surface runoff accrued on application site and the overland flow intercepted from the adjacent lands.
 - (ii) The full alignment of the discharge path from the Site all the way down to the ultimate discharge point (e.g. a well-established stream course/public drainage system) should be indicated on plan. The relevant connection details should be provided for comment. In the case that local village drains are involved, DO/YL should be consulted.
 - (iii) Further to (i) above, since there is no record of the said discharge path,

please provide evidence (e.g. site photos) to demonstrate its presence/existing condition.

- (iv) The gradients and the sizes of the proposed U-channels should be shown on the drainage plan.
 - (v) The proposal should indicate how the runoff (the flow direction) within the site would be discharged to the proposed u-channel.
 - (vi) Consideration should be given to provide grating for the surface channels
 - (vii) The cover levels and invert levels of the proposed u-channels, catchpits/sand traps should be shown on the drainage plan.
 - (viii) Cross sections showing the existing and proposed ground levels of the captioned site with respect to the adjacent areas should be given.
 - (ix) Sand trap or provision alike should be provided before the collected runoff is discharged to the public drainage facilities.
 - (x) Standard details should be provided to indicate the sectional details of the proposed u-channel and the catchpit/sand trap.
 - (xi) Where walls or hoarding are erected are laid along the site boundary, adequate opening should be provided to intercept the existing overland flow passing through the site.
 - (xii) The development should neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc.
 - (xiii) The applicant should consult DLO/YL and seek consent from the relevant owners for any drainage works to be carried out outside his lot boundary before commencement of the drainage works.
- (d) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval. In addition, the applicant should also be advised that the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; and the location of where the proposed FSIs to be installed should be clearly marked on the layout plans. The applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.
- (e) to note the comments of the Assistant Commissioner for Transport/New Territories of Transport Department (AC for T/NT, TD) that the Site can be accessed to Deep Bay Road which is a single track road with footpath. He has no adverse comment on the application from traffic engineering point of view on the basis of the applicant's submitted documents which state that no parking spaces are proposed within the subject site; and the increased number of pedestrian flow at the footpath of Deep Bay Road is estimated to be 10 persons per hour.

- (f) to note the comments of the Chief Highway Engineer/New Territories West of Highways Department (CHE/NTW, HyD) that the temporary access road connecting to Deep Bay Road is currently not maintained by HyD. LandsD should be approached to confirm the management and maintenance party of the access road. The applicant should confirm with the maintenance party to see if it is necessary to provide a run in/out at the above 'temporary road' at the proposed entrance of the Site 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. Adequate drainage measures should be provided at the Site access to prevent surface water flowing from the Site to nearby public roads/drains. HyD shall not be responsible for the maintenance of any access connecting the Site and Deep Bay Road.
- (g) to note the comments of the Chief Building Surveyor/New Territories West of Buildings Department (CBS/NTW, BD) that before any new building works (including containers/open sheds as temporary buildings) are to be carried out on application site, prior approval and consent of the BD should be obtained, otherwise they are unauthorized building works (UBW) under the Buildings Ordinance (BO). An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO. 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 application site under the BO. 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. 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.
- (h) to note the comments of the Director of Leisure and Cultural Services (DLCS) that from tree preservation point of view, every possible effort should be made to preserve existing trees within and adjacent to the work site and minimize the adverse impact to them during the works period. If trees are inevitably affected, Tree Preservation and Removal Proposal (TPRP) should be submitted for approval in accordance with DEVB TC(W) No. 7/2015.
- (i) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that the proposed layout would be in conflict with the existing trees according to the submitted information. However the treatment of the existing trees is not clarified. Despite the Applicant expressing the wish to rehabilitate the site, it is observed from the proposed layout is predominantly hard paved. In view of the large area of the Site and nature of the applied use, the Applicant may wish to propose double row trees along the site boundary with tree species of fruit bearing or ornamental nature in support of and ancillary to the hobby farm use. The Applicant is reminded that approval of the tree preservation and landscape proposal by the TPB under S.16

application does not imply approval for tree works such as pruning, transplanting and/or felling under lease. Tree Removal Applications should be submitted direct to DLO for approval. Useful information published by the GLTM Section, DEVB is available for reference in:

- (i) Tree Maintenance For Private Properties 私人物業樹木護養資料 (Chinese Version: http://www.greening.gov.hk/tc/tree_care/info_private.html)
- (ii) Tree Risk Assessment and Management Arrangement 樹木風險評估及管理安排 (Chinese Version: http://www.greening.gov.hk/tc/tree_care/tra_arrangements.html)
- (iii) Handbook of Tree Management 樹木管理手冊 (Chinese Version: https://www.greening.gov.hk/tc/tree_care/Handbook_on_Tree_Management.html)