

Previous s.16 Application covering the Application Site

Approved Application

| Application No. | Proposed Use(s)/ Development(s) | Date of Consideration (RNTPC / TPB) | Approval Condition(s) |
|-----------------|------------------------------------|---|-----------------------|
| A/YL/191 | Proposed Flat | 21.12.2012 | (a) to (e) |

Approval Conditions:

- (a) No occupation of the proposed residential development prior to the relocation of the temporary bus depot together with the associated facilities (including overnight on street parking spaces) at the junction of Wang Yip Street West and Hong Yip Street, as proposed by the applicant, to the satisfaction of the Director of Environmental Protection or of the Town Planning Board.
- (b) The design and provision of environmental mitigation measures, as proposed by the applicant, to the satisfaction of the Director of Environmental Protection or of the Town Planning Board.
- (c) The disclosure of the environmental mitigation measures, as proposed by the applicant, to future owners through brochures and/or exhibition of Noise Impact Assessment report in the sales office and recorded in the DMC, as proposed by the applicant, to the satisfaction of the Director of Environmental Protection or of the Town Planning Board.
- (d) The submission and implementation of a landscape master plan and tree preservation proposal to the satisfaction of the Director of Planning or of the Town Planning Board.
- (e) The provision of EVA, water supplies for fire-fighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board.
- (f) The submission of a DIA including flood relief mitigation measures to the satisfaction of the Director of Drainage Services or of the Town Planning Board.
- (g) The implementation of the drainage proposals and other necessary flood relief mitigation measures identified in the DIA to the satisfaction of the Director of Drainage Services or of the Town Planning Board.
- (h) The design and provision of vehicular access arrangement, car parking and loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board.

**Similar Applications within the
“R(E)1” Zone on the Yuen Long OZP**

Approved Application(s)

| Application No. | Proposed Use(s)/ Development(s) | Date of Consideration (RNTPC / TPB) | Approval Condition(s) |
|-----------------|---------------------------------|-------------------------------------|-------------------------------|
| A/YL/194 | Proposed Flat | 11.1.2013 | (a), (c), (e), (f) & (h) |
| A/YL/201 | Proposed Flat | 23.5.2014 | (a), (b), (d), (e), (g) & (h) |

Approval Conditions

- (a) The design and provision of environmental mitigation measures, as proposed by the applicant, to the satisfaction of the Director of Environmental Protection or of the Town Planning Board.
- (b) the submission of a land contamination assessment and a waste management plan prior to the commencement of site formation works, as proposed by the applicant, to the satisfaction of the Director of Environmental Protection or the Town Planning Board.
- (c) The submission and implementation of a Landscape Master Plan and tree preservation proposal to the satisfaction of the Director of Planning or of the Town Planning Board.
- (d) The submission and implementation of a Landscape Master Plan to the satisfaction of the Director of Planning or of the Town Planning Board.
- (e) The provision of EVA, water supplies for fire-fighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board.
- (f) The submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the Town Planning Board.
- (g) The submission of a revised drainage impact assessment (DIA), and the implementation of the drainage proposal identified in the revised DIA to the Director of Drainage Services or of the Town Planning Board.
- (h) The design and provision of vehicular access arrangement, car parking and loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board.

Detailed Departmental Comments

1. Comments of the Director of Environmental Protection (DEP):

Noise Aspect

Road Traffic Noise Impact Assessment

s.2 (Response-to-Comments (RtC) item 1)

1. Please elaborate in the report the design and principle of the noise mitigating designs incorporated in the development.

s.2.3 (RtC item 4)

2. Transport Department's endorsement on traffic forecast data should be provided.

s.2.4.1 (RtC item 6)

3. Please clarify and confirm in the report that all and only windows/openings that can be used for ventilation are assigned with assessment points.

s.2.6.1 (RtC item 7)

4. Please elaborate in the report whether the proposed fixed glazing contains any maintenance window to be opened occasionally for cleaning or maintenance purpose only. The size of the maintenance window (e.g. 300mm width maintenance window as adopted in other residential development) should also be specified in the report.

s.2.6.1 (RtC item 8)

5. Please indicate in Figure 2.2 which design of the acoustic windows (i.e. from the reference case 1 or 2) would be implemented for the particular room, and specify the individual room size.

6. Please provide a schedule tabulating the noise mitigation measures to be adopted for particular rooms and clarify the mechanism to ensure proper implementation and maintenance of the proposed noise mitigation measures.

Industrial Noise Impact Assessment (NIA)

s.3.2.2/s.4.2.2 (RtC item 2)

7. The type of area and degree to which a NSR is affected by the Influencing Factors in determining the ASR are different. In this regards, please review and verify the assignment for ASR.

s.3.4 (RtC item 15)

8. Please provide information of the fixed noise sources (e.g. in a table form covering the source types, equipment used, operation mode/hour and operator etc.) identified within the assessment area.

9. Only the operation time of the vehicle repair shop has been confirmed by the respective operators. Confirmation on the operation time for other fixed noise sources such as the garages should be provided.

s.3.5

10. Please clarify whether any noise measurements have been conducted during the recent site surveys, and supplement the results.

Appendix 3.2

11. Please review and clarify the term "Other Corr." and "standard noise level".

Railway Noise Impact Assessment

s.4.1

12. The assessment on West Rail Line has adopted the operational characteristics used in the NIA report of a s.16 planning application approved in 2010. Please review and quote the latest relevant document when conducting the assessment.

s.4.8.2

13. Appendix 4.2 is missing.

14. Inconsistencies and discrepancies are spotted in the report:-

s.2.5.1 – Please double check Appendix 1.1 and confirm the number of flat units at the proposed residential development.

s.3.7.2 - The predicted maximum noise level during the daytime at NSR IN4 does not tally with the result in Appendix 3.2.

Appendix 2.5 and Figure 2.2 - The noise mitigation measures for some NSRs for example NSR N-1F-16, 17, 19 and 20 are inconsistent.

Appendix 2.5 - Discrepancy are spotted in the "No. of Units" in the result table and Figure 2.1.

Air Quality Aspect

No further comment.

Sewerage Infrastructure Aspect

No further comment.

**2. Comments of the Chief Architect/Central Management Division 2,
Architectural Services Department**

Based on the information provided, he has the following comments from the architectural and visual impact point of view:

- (i) Regarding the use of space outside the Flat 1 to 4 on G/F, it is noted that the applicant clarifies using the area as greenery space. We would have no further comment and noted that relevant departments will deal with this issue in general building plan submission stage.
- (ii) Regarding the residents' clubhouse near the transformer room separated from the other residents' clubhouse on G/F, it is noted that the applicant clarifies that this residents' clubhouse is intended to have a direct link with the children play area and provides comfortable sitting area for the parents/helpers while they are watching and looking after the children as they use the play area. We would have no further comment and noted that relevant departments will deal with this issue in general building plan submission stage.
- (iii) Regarding the access of the roofs on 1/F, it is noted that the applicant clarifies the access has been provided as indicated on revised 1/F layout plan. We would have no further comment and noted that relevant departments will deal with this issue in general building plan submission stage.
- (iv) Regarding considerable number of flats facing west, it is noted that applicant clarifies that suitable solar device would be considered to mitigate any potential heat gain and avoid glare in the detail design stage. We would have no further comment and noted that relevant departments will deal with this issue in general building plan submission stage.
- (v) For Sections A-A, B-B, C-C and D-D, it is noted that the applicant has adopted some effort to reduce the headroom of the 26/F residential units, the G/F

entrance lobby and G/F residents' clubhouse. We would have no further comment and noted that relevant departments will deal with this issue in general building plan submission stage.

- (vi) For the proposed podium with 2-storey abutting Wang Yip Street West, it is noted that the applicant clarifies the two-storey club house and commercial floor space located on the eastern side was intended to shield the noise generated from the traffic and from the operation of the industrial activities at Wang Yip Street West. We would have no further comment and noted that relevant departments will deal with this issue in general building plan submission stage.
- (vii) Regarding more greening in development, it is noted that the applicant has adopted some effort to increase the common greenery from 665m² to 730m². We would have no further comment and noted that relevant departments will deal with this issue in general building plan submission stage.

3. Comments of the Director of Food and Environmental Hygiene

- (a) If any Food and Environmental Hygiene Department's (FEHD's) facility is affected by the development, FEHD's prior consent must be obtained. Re-provisioning of the affected facilities by the project proponent up to the satisfaction of FEHD may be required. Besides, the project proponent should provide sufficient amount of additional recurrent cost for management and maintenance of the re-provisioned facilities to FEHD.
- (b) If FEHD is requested to take up management responsibility of new public toilets and refuse collection points, FEHD should be separately consulted. Prior consent from FEHD must be obtained and sufficient amount of recurrent cost must be provided to FEHD.
- (c) If provision of cleansing service for new roads, streets, cycle tracks, footpaths, paved areas etc, is required, FEHD should be separately consulted. Prior consent from FEHD must be obtained and sufficient amount of recurrent cost must be provided to FEHD.
- (d) If the proposal involves any commercial/trading activities, no environmental nuisance should be generated from the site/to the surroundings. Also, for any waste generated from the commercial/trading activities, the applicant should handle on their own/at their expenses, and
- (e) Proper licence / permit issued by FEHD is required if there is any food business / catering service / activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public. The operation of any eating place

should be under a food licence issued by the FEHD. If the operator intends to operate a restaurant business in the territory, a restaurant licence should be obtained from FEHD in accordance with the Public Health and Municipal Services Ordinance (Cap. 132). The application for restaurant licence, if acceptable by FEHD, will be referred to relevant government departments, such as BD, FSD, PlanD, LandsD (if necessary) for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance and the licence will be issued upon compliance of all the requirements. For the operation of other types of food business, relevant food licences should also be obtained from FEHD in accordance with Cap. 132. Under the Food Business Regulation, Cap. 132X, a Food Factory Licence must be obtained from FEHD for food business which involves the preparation of food for sale for human consumption off the premises before commencement of such business. Besides, a Fresh Provision Shop licence is required for any person who intends to sell fresh, chilled or frozen beef, mutton, pork, reptiles (including live snake), fish (including live fish) and poultry at any premises before commencement of such business. The application for Food Factory Licence / Fresh Provision Shop Licence, if acceptable by FEHD, will be referred to relevant government departments, such as PlanD and LandsD (if necessary) for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance and the licence will be issued upon compliance of all the requirements.

- (f) An application for Food Factory licence was received on 8.6.2016 at “Shop No. 1, Ground Floor, 21 Wang Yip Street West, Yuen Long, New Territories” with a Letter of Requirements issued on 25.8.2016. The subject application is still under processing.
- (g) All extraction fans installed on the premises must be discharged into the open air at a height of at least 2.5m above the ground or street level and in such a manner as not to be a nuisance.

4. Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department :

(Comments on applicant’s further information submitted on 26.3.2018 and 28.3.2018)

- (a) Contrary to the Response-to-Comments (R-to-C), there is in fact no tree planting proposed along the WYSW boundary under the current scheme.
- (b) The vertical green walls mentioned in the R-to-C are not observed in Figure 4.
- (c) Figure 4 does not tally with the perspectives in Appendix I, such that the tall shrub planting along WYSW boundary is missing.

Advisory clauses

- (a) that the approval of the application does not imply that the proposed building design elements could fulfill the requirements under the Sustainable Building Design Guidelines, and the relevant requirements under the lease, and that the proposed gross floor area (GFA) concession for the proposed development will be approved/granted by the Building Authority. The applicant should approach the Buildings Department and the Lands Department direct to obtain the necessary approval. If the building design elements and the GFA concession are not approved/granted by the Building Authority and the Lands Authority and major changes to the current scheme are required, a fresh planning application to the Town Planning Board may be required;
- (b) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the site is governed by New Grant No. 4359 as modified by a Modification Letter dated 27.11.2004 (the New Grant). Special Conditions (7)(a) (S.C.(7)(a)) of the New Grant restricts that the subject lot shall not be used for any purpose other than for (i) industrial or godown or both; (ii) offices; or (iii) a combination of any of the users stated in sub-clauses (i) and (ii), excluding any offensive trades under the Public Health and Municipal Services Ordinance. Also, S.C.(12)(c) of the New Grant provides that the total GFA of any building or buildings erected or to be erected on the lot shall not be less than 4,800m² and shall not exceed 8,000m². The owner of the subject lot is required to apply to LandsD for a modification of the lease of the lot for the proposed use. However, there is no guarantee that such application, including the granting of any government land (if any), will be approved. Such application will be dealt with by LandsD acting in the capacity as the landlord at his sole discretion, and if it is approved will be subject to such terms and conditions including among others, the payment of such appropriate fees as may be imposed by LandsD;
- (c) to note the comments of the Director of Environmental Protection that there is no comment on the Sewerage Impact Assessment (SIA) of the EA report provided that the figures quoted, assumptions and calculation made are correct. The applicant is reminded to (i) seek agreement from Drainage Services Department (DSD) about the proposed sewer works with respect to the upgrading of some segments of public sewer, actual alignment and connection point, maintenance of new sewer to be built by the applicant; and (ii) the disclosure of the environmental mitigation measures, as proposed by the applicant, to future owners through brochures and/or exhibition of Noise Impact Assessment report in the sales office and recorded in the DMC;
- (d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department that the proposed access arrangement of the Site from Wang Yip Street West and the proposed traffic scheme for Kwong Yip Street and Leung Yip Street should be commented by the Transport Department (TD). If the proposed run-in is agreed by TD, the applicant should provide a run in/out at the access point at the Wang Yip Street West 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. If the proposed traffic scheme is agreed by TD, it should be carried out by the applicant in compliance with prevailing TD and HyD standards to TD/HyD's satisfaction at the applicant's own cost. The junction improvement work as proposed by the applicant as mentioned in the TIA shall be carried out by the applicant to TD/HyD's satisfaction at the applicant's own cost. The applicant is reminded that no work shall start until the proposal is

accepted by both TD and HyD and an excavation permit for any excavation work on carriageway/footpath under HyD's maintenance shall be obtained from his Regional Office. Adequate drainage measures should be provided to prevent surface water running from the application site (the Site) to the nearby public roads and drains;

- (e) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that the applicant is reminded that approval of the LMP under s.16 application does not imply approval of tree works such as pruning, transplanting or felling under lease. Tree works applications should be submitted direct to concerned DLO of LandsD for approval;
- (f) to note the comments of the Director of Fire Services that detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans;
- (g) to note the comments of the Chief Building Surveyor/New Territories West, BD that if the proposed plot ratio (PR) is based on the assumption that GFA concession will be granted, the pre-requisites in Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-151 and PNAP APP-152 should be complied with. The storey height of B/F (4.1m), entrance lobby of residential tower (about 7.3m), clubhouse on 1/F (4.5m) and floors at non-domestic portion (4.5m - 5.85m) should be justified during the building plan submission stage. Disregarding private car parking spaces from GFA calculation under the Buildings Ordinance (BO) will be considered on the basis of the criteria set out in PNAP APP-2 during building plan submission stage. The proposed eating place is subject to the issue of a licence, the applicant is reminded that the proposed structures on the Site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority. Detailed checking of plans will be carried out during building plan submission stage. Regarding the dedication with set-back area for public passage in exchange for the additional PR proposed by the applicant, he reserves his comment on the application under Building (Planning) Regulation 22(1). Attention should be drawn to the criteria set out in PNAP APP-108 and set-back requirement under PNAP APP-152 if the applicant apply for GFA concession. The application for bonus PR arising from the proposed dedication should be considered in consultation with other relevant government departments during building plan submission stage;
- (h) to note the comments of the Head of the Geotechnical Engineering Office, Civil Engineering and Development Department that the Site is located within the Scheduled Area No.2 and may be underlain by cavernous marble. For any new development at the proposed area, extensive geotechnical investigation will be required. Such investigation may reveal the need for a high level of involvement of an experienced geotechnical engineer both in the design and in the supervision of geotechnical aspects of works required to be carried out on the Site;
- (i) 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 subject application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where appropriate) 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; and

- (j) to note the comments of the Director of Food and Environmental Hygiene that if any Food and Environmental Hygiene Department's (FEHD's) facility is affected by the development, FEHD's prior consent must be obtained. Re provisioning of the affected facilities by the project proponent up to the satisfaction of FEHD may be required. Besides, the project proponent should provide sufficient amount of additional recurrent cost for management and maintenance of the re provisioned facilities to FEHD. If FEHD is requested to take up management responsibility of new public toilets and refuse collection points, FEHD should be separately consulted. Prior consent from FEHD must be obtained and sufficient amount of recurrent cost must be provided to FEHD. If provision of cleansing service for new roads, streets, cycle tracks, footpaths, paved areas, etc. is required, FEHD should be separately consulted. Prior consent from FEHD must be obtained and sufficient amount of recurrent cost must be provided to FEHD. If the proposal involves any commercial/trading activities, no environmental nuisance should be generated from the site/to the surroundings. Also, for any waste generated from the commercial/trading activities, the applicant should handle on their own/at their expenses. Proper licence / permit issued by FEHD is required if there is any food business / catering service / activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public. The operation of any eating place should be under a food licence issued by the FEHD. If the operator intends to operate a restaurant business in the territory, a restaurant licence should be obtained from FEHD in accordance with the Public Health and Municipal Services Ordinance (Cap. 132). The application for restaurant licence, if acceptable by FEHD, will be referred to relevant government departments, such as Buildings Department, Fire Services Department, Planning Department, Lands Department (if necessary) for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance and the licence will be issued upon compliance of all the requirements. For the operation of other types of food business, relevant food licences should also be obtained from FEHD in accordance with Cap. 132. Under the Food Business Regulation, Cap. 132X, a Food Factory Licence must be obtained from FEHD for food business which involves the preparation of food for sale for human consumption off the premises before commencement of such business. Besides, a Fresh Provision Shop licence is required for any person who intends to sell fresh, chilled or frozen beef, mutton, pork, reptiles (including live snake), fish (including live fish) and poultry at any premises before commencement of such business. The application for Food Factory Licence / Fresh Provision Shop Licence, if acceptable by FEHD, will be referred to relevant government departments, such as PlanD and LandsD (if necessary) for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance and the licence will be issued upon compliance of all the requirements. An application for Food Factory licence was received on 8.6.2016 at "Shop No. 1, Ground Floor, 21 Wang Yip Street West, Yuen Long, New Territories" with a Letter of Requirements issued on 25.8.2016. The subject application is still under processing. In addition, all extraction fans installed on the premises must be discharged into the open air at a height of at least 2.5m above the ground or street level and in such a manner as not to be a nuisance.