

Government Bureau/Departments' Detailed Comments

1. Traffic

Comments of the Commissioner for Transport:

- the following items should be required:
 - (a) the submission of a consolidated Traffic and Transport Impact Assessment;
 - (b) the design and provision of vehicular access and car parking and loading / unloading facilities for the proposed development; and
 - (c) the design and implementation of road and junction improvement works, as proposed by the applicant.

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

- it is noted that a road connection is proposed for the site access. The proposed road connection shall not be maintained by HyD;
- any proposed road improvements in the Traffic Impact Assessment or proposed barriers as a result of the Noise Impact Assessment are considered necessary by the relevant departments due to the subject development, they shall be implemented by the applicant at the applicant's own cost;
- adequate drainage measures should be provided at the site access to prevent surface water flowing from the application site (the Site) to nearby public roads or exclusive road drains;
- he reserves further comments on the design and location of the interception channel, gullies and engineering details on the run-in/out when the detailed design of the proposed development is formulated and submitted as advised by the applicant in the detailed design stage; and
- if the proposed run-in/out is agreed by the Transport Department (TD), the applicant should provide the run-in/out at Kam Sheung Road to the satisfaction of TD and HyD and in accordance with the latest version of Highways Standard Drawings No. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavements.

Comments of the Chief Highway Engineer/Works, HyD:

- the applicant should inform his office for any update on the implementation programme of the modification works of the junction of Kam Tin Road with Kam Sheung Road.

2. Environment

Comments of the Director of Environmental Protection:

- it is noted that the proposed off-site road works may have potential interface issue with

two projects, namely Improvement to Kam Sheung Road and Upgrading of Remaining Sections of Kam Tin Road and Lam Kam Road, with project proponent being HyD. The latter project under HyD is governed by an Environmental Permit (EP) No. EP-576/2020 with Permit Holder of the EP being HyD. Therefore, the applicant may wish to liaise with HyD on the potential implications arising from the proposed road works under the subject application and to resolve the potential interface issue(s) with relevant government department(s) with a view to complying the requirements in the EP, in particular the requirements related to the noise barriers. Meanwhile, he has no particular comment on the proposed off-site road works under the subject application from environmental planning perspective provided that the relevant statutory procedures and requirements set out in relevant environmental legislation, in particular the Environmental Impact Assessment Ordinance (EIAO) and its associated Technical Memorandum on Environmental Impact Assessment Process are met;

- it is also noted that the proposed box culvert is located less than 300 meters from the boundary of a declared monument (Chik Kwai Study Hall) and a Conservation Area. As such, the proposed development may constitute a Designated Project (DP) under EIAO by virtue of Item I.1 in Schedule 2, Part 1 of the EIAO. An EP may be required for the construction and operation of the proposed development. Nevertheless, understanding that the proposed development may subject to detailed design at a later stage, the applicant is asked to liaise with Environmental Protection Department to confirm the EIAO implications of the proposed development; and
- the applicant is advised to
 - (a) follow good engineering practice set out in ‘Recommended Pollution Control Clauses for Construction Contracts’;
 - (b) follow the relevant guidelines and requirements in Relevant Professional Persons Environmental Consultative Committee Practice Notes (ProPECCPNs);
 - (c) minimise the generation of construction and demolition (C&D) materials, reuse and recycle the C&D materials on-site as far as possible;
 - (d) obtain a valid licence under the Cap. 358 Water Pollution Control Ordinance for discharge of treated sewage for the proposed on-site sewage treatment plant if an on-site sewage treatment plant will be pursued for the proposed development; and
 - (e) it is the obligation of the applicant to meet the statutory requirements under relevant environmental legislation.

3. Landscape

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

- the applicant is advised that approval of the application does not imply approval of tree works such as pruning, transplanting and felling under lease. The applicant is reminded to seek approval for any proposed tree works from relevant departments prior to commencement of the works.

4. Tree Preservation

Comments of the Director of Leisure and Cultural Services:

- if any of his department's trees will be affected by the project, the applicant should observe DEVB TC(W) No. 4/2020 on tree preservation matter.

5. Building Matters

Comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD):

- if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the Building Authority (BA), they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the application;
- for UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with the prevailing 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;
- before any new building works (including containers / open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the BA should be obtained, otherwise they are UBW. An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with 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 (B(P)R) respectively;
- the Site abuts on a specified street (Kam Sheung Road) of not less than 4.5m wide. Its permitted development intensity shall be determined under the First Schedule of the B(P)R at the building plan submission stage;
- any parking spaces to be disregarded from gross floor area (GFA) calculation under the Regulation 23(3)(b) of the B(P)R shall be subject to the requirements laid down in Appendix C of Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-2;
- for features applied to be excluded from the calculation of the total GFA, it shall be subject to compliance with the requirements laid down in the relevant Joint Practice Notes and PNAP. For example, the requirements of building set back, building separation and site coverage of greenery as stipulated in PNAP APP-152; and
- detailed checking will be carried out during building plan submission stage.

6. Archaeological and Heritage Aspects

Comments of the Executive Secretary (Antiquities and Monuments), Antiquities and Monuments Office (AMO), Development Bureau:

- there is no graded historic building or declared monument located within the Site. However, Lai Mansion (a Grade 2 historic building at No. 485 Lai Uk Tsuen) and Chik Kwai Study Hall (a declared monument in Lai Uk Tsuen) are located at about 65m and 90m respectively from the Site. Their photos, locations and relevant information can be assessed on the websites of the Antiquities Advisory Board and AMO. The applicant should ensure that the proposed development would not cause any physical disturbance to Lai Mansion and Chik Kwai Study Hall;
- the proposed development is relatively large in scale compared to the adjacent village where Lai Mansion and Chik Kwai Study Hall are located. The applicant should minimise the visual impact on the said graded building and declared monument; and
- if the application is agreed, as a precautionary measure, the applicant is required to inform AMO immediately when any antiquities or supposed antiquities under the Antiquities and Monuments Ordinance (Cap. 53) are discovered in the course of works.

7. Food and Environmental Hygiene

Comments of the Director of Food and Environment Hygiene (DFEH):

- no Food and Environmental Hygiene Department's (FEHD) facilities will be affected. If any FEHD's facility is affected by the development, FEHD's prior consent must be obtained. Local consultation/District Council consultation should be conducted by the project proponent to the satisfaction of the locals and FEHD on the proposal of re-provisioning of the affected facilities under FEHD's management. Reprovisioning 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 reprovisioned facilities to FEHD;
- if FEHD is requested to take up management responsibility of new refuse collection points and other facilities (e.g. public toilet), FEHD should be separately consulted. Prior consent from FEHD must be obtained and sufficient amount of recurrent cost must be provided to us;
- if provision of cleansing service for new public roads, streets, cycle tracks, footpaths, paved areas, public carpark, footbridge, subway, 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 us;
- the associated works and operations shall not cause any environmental nuisance, pest infestation and obstruction to the surrounding. For any waste generated from the operations and works, the project proponent should arrange its proper disposal at their own expenses;
- if FEHD is requested to provide refuse collection service, FEHD shall be separately consulted. FEHD will not provide cleansing service within the site under private grant. The refuse collection point (RCP) of domestic waste and the commercial waste should be clearly separated. The share use of RCP for both domestic and commercial waste

is not recommended; and

- proper licence / permit issued by FEHD is required if there is any food business / catering service / activities regulated by 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). 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 should 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. The application for food business licences under Cap.132, if acceptable by FEHD, will be referred to relevant government departments 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.