

Previous s.16 Applications covering the Site

Approved Applications

	<u>Application No.</u>	<u>Proposed Uses/ Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Conditions</u>
1.	A/YL-MP/166	Proposed Comprehensive Development to include Wetland Restoration Area	19.9.2008 Approved by RNTPC	1 to 14
2.	A/YL-MP/185	Proposed Comprehensive Development to include Wetland Restoration Area (Houses and Wetland Habitat) (Proposed Amendments to an Approved Scheme)	21.10.2011 Approved by RNTPC	1, 2, 4 to 6, 10, 11, 13 to 18
3.	A/YL-MP/229	Proposed Comprehensive House and Wetland Habitat Development with Filling and Excavation of Land	27.2.2015 Approved by RNTPC	1, 2, 4 to 6, 10, 11, 13 to 20

Approval Conditions

- 1 The submission and implementation of an MLP
- 2 The interface arrangement for XRL project in terms of permanent land take for XRL tunnels and structures and temporary land take for related construction
- 3 The interface arrangement for the project 7259RS 'Cycle Tracks Connecting North West New Territories with North East New Territories'
- 4 The submission and implementation of a LMP including tree preservation scheme
- 5 The submission of a revised DIA and the implementation of the flood mitigation measures and stormwater drainage facilities identified in the DIA
- 6 The submission of a revised EcoIA and the implementation of the mitigation measures identified therein
- 7 The submission of a wetland restoration and/or creation scheme, including its detailed design, wetland buffer proposals to mitigate potential impact on the nearby existing wetland, a maintenance and management plan with implementation details, arrangement of funding and monitoring programme and enforcement mechanism to ensure the long-term management of the restored wetland
- 8 The provision of a waterworks reserve within 1.5 metres from the centerline of the affected water mains
- 9 The submission of a revised TIA
- 10 The design and provision of new junction between the proposed access road and Castle Peak Road - Mai Po section and improvement measures at junction of Palm Springs Boulevard and Castle Peak Road - Mai Po section
- 11 The design and provision of an access road to link with Castle Peak Road - Mai Po section
- 12 The proposed access road should serve as the right of way for the accessibility of adjoining developments, as proposed by the applicant

- 13 The design and provision of vehicle parking, motorcycle parking and loading/unloading facilities for the proposed development
- 14 The provision of emergency vehicular access, water supplies for fire-fighting and fire service installations
- 15 The submission and implementation of a maintenance and management plan which covered implementation details and the estimated annual recurrent costs with breakdown required for maintaining the restored wetland area
- 16 The submission and implementation of a funding arrangement proposal for ensuring the long-term maintenance and management of the restored wetland area
- 17 As proposed by the applicant, land exchange and/or lease modification for the proposed development if considered and approved by the Director of Lands, should not be executed prior to the compliance with condition (17) above
- 18 The design and provision of mitigation measures to alleviate the visual impact of the noise barriers
- 19 The submission of a revised SIA and the implementation of mitigation measures identified in the revised SIA
- 20 The implementation of sewage disposal arrangement including the interim on-site sewerage treatment plant, the reuse of treated effluent and the irrigation system, as proposed by the applicant

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

DIA

From Land Drainage Division

- (a) Referring to the hydraulic model, there are many brown vertical lines in the network model. The applicant should check and clarify.
- (b) Table 7-2 of the report: The CN value is inconsistent with the model.
- (c) Table 7-3 of the report: The CN value is inconsistent with the model.
- (d) Figure 7 of the report: The proposed network is inconsistent with the model.
- (e) It is noted that the 'Sea Levels' of model do not follow the SDM2018 requirements. The applicant should clarify.
- (f) Refer to the model, the rainfall group is not set with climate change and not based on Hong Kong Observatory.
- (g) Table 9-1 of the report: The discharge is inconsistent with the model.
- (h) Remarks: It is noted that same discharge file used in pre and post scenario.
- (i) Table 9-2 of the report: The total runoff is inconsistent with the model.
- (j) Appendix I of the report: The results could not be found in the model.
- (k) Appendix J of the report: The results could not be found in the model.

SIA

From Land Drainage Division

RtoC No. 2: The applicant should advise the size of equalization tank and elaborate more on the future operational requirements since the peak flow (i.e. sum of all pools) is very high.



Recommended Advisory Clauses

- (a) the approval of the application does not imply that the proposed building design elements could fulfil 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 (BA). The applicant should approach the Buildings Department (BD) and the Lands Department (LandsD) direct to obtain the necessary approval. If the building design elements and the GFA concession are not approved/granted by the BA and the Lands Authority and major changes to the current scheme are required, a fresh planning application to the Town Planning Board (the Board) may be required;
- (b) to note the comments of the District Lands Officer/Yuen Long (DLO/YL) of LandsD that should the application lead to any amendment of the provisional basic terms of the proposed land exchange under processing, the applicant is required to submit an application to LandsD for consideration. If the application is approved, the approval would be subject to such terms and conditions as may be imposed by LandsD;
- (c) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that for the green vegetation on the proposed earth bunds, the applicant should avoid planting trees as far as possible;
- (d) to note the comments of the Director of Environmental Protection (DEP) that the applicant had confirmed that (i) the long-term maintenance and management plan as previously approved by DAFC will be fully adopted for the current application, and (ii) that the long-term funding arrangement as agreed with the ECF Committee for its previous applications for the same Site should be fully applicable to the current application. The applicant should also note that the proposed house development under the planning application is covered by an EP (EP-311/2008/E) issued under the EIAO and the project layout and environmental mitigation measures recommended in the current application are different from those specified in the EP. The applicant should go through the statutory EIAO process to ensure compliance with the EP requirements should the current development scheme go head;
- (e) to note the comments of the Commissioner for Transport (C for T) that the Site is connected to the public road network via a section of a local access which is not managed by TD. The applicant should clarify the land status of the local access road with LandsD and the management and maintenance responsibilities of the local access road with the relevant lands and maintenance authorities accordingly;
- (f) to note the comments of the Chief Highway Engineer, Highways Department (CHE/NTW, HyD) that HyD is not/shall not be responsible for the maintenance of any access connecting the Site and Castle Peak Road – Mai Po; and adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads or exclusive road drains;
- (g) to note the comments of the Chief Engineer/Railway Development 2-2, Railway Development Office (CE/RD2-2, RDO) of HyD that the Site falls within the existing gazetted scheme boundary of the XRL entrusted to MTRCL since 23 September 2018, the operation of existing railway network is not under the jurisdiction of HyD, and the applicant should consult MTRCL railway protection team with respect to operation,

maintenance and safety of existing railway network;

- (h) to note the comments of the Director of Fire Services (D of FS) that detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans, the emergency vehicular access provision in the Site shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 under the Building (Planning) Regulation [B(P)R] 41D which is administered by the BD;
- (i) to note the comments of the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD) that the proposed House 1 with an average floor to floor height of about 9m and 21m and 18.45m pitch-roof tops appears to be excessive and these heights should be reduced to minimize the visual impact;
- (j) to note the comments of the Chief Building Surveyor/New Territories West (CBS/NTW) of BD to comply with the Buildings Ordinance (BO) and B(P)R at the building plan submission stage in relation to Regulation 19(3) regarding the development intensity of the Site, Regulation 5 regarding the means of access and Regulation 41D regarding the provision of emergency vehicular access for all the buildings to be erected on the Site; the relevant Joint Practice Notes and Practice Notes for Authorized Persons, Registered Structure Engineers and Registered Geotechnical Engineers (PNAP) regarding exemption from GFA calculation; and PNAP APP-152 regarding the requirements of building set back, building separation and SC of greenery. The applicant should provide justifications to support the proposed building height (BH) of House 1 for his consideration during the building plan submission stage;
- (k) to note that if the high floor height and large void of the houses are considered excessive and should be counted towards BH/plot ratio (PR) calculation under BO, the resultant BH/PR would exceed the current scheme, and may also exceed the current statutory planning restrictions under the Approved Mai Po and Fairview Park Outline Zoning Plan No. S/YL-MP/6. Under the circumstances, a fresh application to the Board would be required;
- (l) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that the applicant should address DSD's detailed comments on the Drainage Impact Assessment (DIA) and Sewerage Impact Assessment (SIA) as below:

DIA

- (a) Referring to the hydraulic model, there are many brown vertical lines in the network model. The applicant should check and clarify.
- (b) Table 7-2 of the report: The CN value is inconsistent with the model.
- (c) Table 7-3 of the report: The CN value is inconsistent with the model.
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- (j) Appendix I of the report: The results could not be found in the model.
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SIA

RtoC No. 2: The applicant should advise the size of equalization tank and elaborate more on the future operational requirements since the peak flow (i.e. sum of all pools) is very high.

- (m) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that the applicant should consult the Food and Environmental Hygiene Department (FEHD) on provision of cleansing service for new roads, streets, cycle tracks, footpaths, paved areas, etc., and to handle any waste generated from the commercial/trading activities on their own/at their expenses;
- (n) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that the applicant shall resolve any land matter (such as private lots) associated with the provision of water supply to the proposed development and shall be responsible for the connection, operation and maintenance of the inside services within the private lots to WSD's standards, and fresh water from Government mains shall not be used for watering plant nurseries or landscape features purposes except with the written consent of the Water Authority; and
- (o) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that the applicant should maintain liaison/coordination with the Hong Kong and China Gas Company Limited in respect of the exact location of existing or planned gas pipe routes/gas installations and the minimum set back requirement during the design and construction stages of the proposed development and to note the requirements of the Electrical and Mechanical Services Department on the "Avoidance of Damage to Gas Pipes 2nd Edition":
([https://www.emsd.gov.hk/filemanager/en/content_286/CoP_gas_pipes_2nd_\(Eng\).pdf](https://www.emsd.gov.hk/filemanager/en/content_286/CoP_gas_pipes_2nd_(Eng).pdf)).

