

Previous s.16 Application

Approved Applications

Application No.	Uses/Developments	Date of Consideration	Approval Conditions
Nil	Nil	Nil	Nil

**Approval Conditions:**

Nil

Rejected Applications

Application No.	Uses/Developments	Date of Consideration	Rejection Reasons
A/FSS/32	Religious Institution	3.7.1992	R1 – R5

**Reasons for Rejection:**

- R1 The proposed development does not conform with the 'Town Planning Board Guidelines for Application for Development within Green Belt' (TPB PG-No. 10) in that no justifications have been provided to demonstrate that the proposed development is essential and that no alternative sites are available.
- R2 The proposed development will be subject to traffic noise and no mitigation measures have been provided in the submission.
- R3 The proposed vehicular access will have adverse impacts on the traffic flow and road safety of Road D3.
- R4 No information on the provision of sewage treatment and disposal facilities has been provided.
- R5 No drainage impact assessment has been provided in the submission to demonstrate that the proposed development will not cause flood hazard to the surrounding area.



**Similar s.16 Application**

**Approved Applications**

<b>Application No.</b>	<b>Uses/Developments</b>	<b>Date of Consideration</b>	<b>Approval Conditions</b>
A/KTN/54	Minor Relaxation of Plot Ratio and/or Building Height Restrictions for 8 Public Housing Sites in Kwu Tung North/Fanling North New Development Area, and for the Proposed Residential, Commercial, Government, Institution or Community and Market Development in 2 Areas shown as 'Road' in Site K1	16.11.2018	Nil

**Approval Conditions:**

Nil

**Rejected Applications**

<b>Application No.</b>	<b>Uses/Developments</b>	<b>Date of Consideration</b>	<b>Rejection Reasons</b>
Nil	Nil	Nil	Nil

**Reasons for Rejection:**

Nil



Advisory Clauses

- (a) to note the comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD) that:
- (i) the Site is held under Fanling Sheung Shui Town Lot (FSSTL) No. 262 which is governed by New Grant No. 22584 (the New Grant). The subject 6m-wide covered pedestrian walkway under the application is provided in accordance with Special Condition (SC) 20 (d) of the New Grant. As stipulated in SC 20(h) of the New Grant, the Director of Lands shall at his sole discretion decide the whole or part of the area of the pedestrian walkway that may be excluded from the GFA calculation under lease; and
  - (ii) the lot owner may apply to LandsD for GFA exemption for the whole of the area of the subject pedestrian walkway. However, such application will be considered by LandsD acting in the capacity of landlord at its sole discretion under SC 20 of the New Grant and there is no guarantee that such application will be approved.
- (b) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
- (i) proper drainage works shall be designed and constructed for the pedestrian walkway; and
  - (ii) the applicant's attention should be drawn to note that there have been flooding complaints at Ma Shi Po area in the rainy season of 2017 and 2018 which some of the cases were reported to be directly related to the inadequate drainage system of the Site. As such, the applicant is reminded to provide adequate drainage system to receive the surface runoff within the Site and from all upstream catchments to avoid flooding in the nearby area and ensure that the drainage problem will not reoccur.
- (c) to note the comments of Chief Engineer/New Territories East, Water Supplies Department (CE/NTE, WSD) that:
- (i) existing water mains may be inside the subject lot and may be affected. The applicant may require to either divert or protect the water mains found on site;
  - (ii) if diversion is required, existing water mains inside the subject lot are needed to be diverted outside the site boundary of the proposed development to lie in Government land. A strip of land of minimum 1.5m in width should be provided for the diversion of existing water mains. The cost of diversion of existing water mains upon request will have to be borne by the grantee/applicant; and the applicant shall submit all the relevant proposal to WSD for consideration and agreement before the works commence; and
  - (iii) if diversion is not required, the following conditions shall apply:

- (a) existing water mains may be affected and no development which requires resiting of water mains will be allowed;
  - (b) details of site formation works shall be submitted to the Director of Water Supplies (DWS) for approval prior to commencement of works;
  - (c) no structures shall be built or materials stored within 1.5 metres from the centre line(s) of water main(s). Free access shall be made available at all times for staff of DWS or their contractor to carry out construction, inspection, operation, maintenance and repair works;
  - (d) no trees or shrubs with penetrating roots may be planted within the Water Works Reserve or in the vicinity of the water main(s). No change of existing site condition may be undertaken within the aforesaid area without the prior agreement of DWS. Rigid root barriers may be required if the clear distance between the proposed tree and the pipe is 2.5m or less, and the barrier must extend below the invert level of the pipe;
  - (e) no planting or obstruction of any kind except turfing shall be permitted within the space of 1.5 metres around the cover of any valve or within a distance of 1 metre from any hydrant outlet; and
  - (f) tree planting may be prohibited in the event that DWS considers that there is any likelihood of damage being caused to water mains.
- (d) to note the comments of the Project Manager/North, Civil Engineering and Development Department (PM/N, CEDD):
- the proposed elevated pedestrian walkway system connecting to the proposed pedestrian walkway at the Site at its northern and southern boundary is under review/design of CEDD's D&C Study for Remaining Phase of Kwu Tung North/Fanling North New Development Area (KTN/FLN NDA) development.