

Similar application within "R(D)" Zone
on the Kwu Tung South Outline Zoning Plan

Approved Application

Application No.	Uses/Developments	Date of Consideration	Approval Conditions
A/NE-KTS/460	Proposed Houses	21.12.2018	A1 to A6

Approval Conditions

- A1 The submission and implementation of landscape proposal
- A2 The submission and implementation of a drainage proposal
- A3 The submission and implementation of a sewerage connection proposal
- A4 The submission and implementation of fire service installations and water supplies for fire-fighting
- A5 The submission of a Noise Impact Assessment and implementation of mitigation measures identified therein
- A6 Commencement Clause

Relevant Approved Application

Application No.	Uses/Developments	Date of Consideration	Approval Conditions
A/NE-KTS/465	Proposed House	19.7.2019	A7 to A16

Approval Conditions

- A7 The submission and implementation of a revised Master Layout Plan
- A8 The submission and implementation of a Landscape Master Plan

- A9 The design and provision of vehicular access, parking spaces and loading/unloading facilities
- A10 The design and implementation of the proposed pedestrian crossing on Hang Tau Road and footpath abutting the site and Hang Tau Road
- A11 The submission of a revised Noise Impact Assessment and the implementation of the mitigation measures identified therein
- A12 The submission of a revised Sewerage Impact Assessment and the implementation of the sewerage proposal and sewerage connection works identified therein
- A13 The submission of a revised Drainage Impact Assessment and the implementation of the drainage proposal and drainage upgrading/drainage connection works identified therein
- A14 The provision of fire fighting access, water supplies for fire fighting and fire services installations
- A15 The submission of an implementation programme including a phasing plan of the proposed development
- A16 Commencement Clause

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. 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 (BA) and the Lands Authority and major changes to the current scheme are required, a fresh planning application to the Board may be required;
- (b) to note the comments of District Lands Officer/North, Lands Department:
- (i) the management and maintenance obligations of the roads accessible by the public at part of lot 344A RP in D.D. 94 surrendered to the Government for improvement of public road should not be borne by the future individual flat owners of the proposed development;
 - (ii) the applicant should ensure that the site under application would not encroach onto Village Environ Boundary ("VEB"). Though the Master Layout Plan (MLP) provided in the application is graphical in nature, subject to detailed checking (if necessary), it appears that a tiny part of Lot 448 RP in D.D. 94 still falls within VEB and western end of Lot 402 s.B in D.D. 94 is not covered in the MLP;
 - (iii) the management and maintenance of the footpath should not be borne by future individual flat owners as it will serve members of the public;
 - (iv) the Government land under the application has been occupied without authorisation. His office reserves the right to take appropriate land control action;
 - (v) there are structures erected on the application site. His office reserves the right to take lease enforcement action against any unauthorised structures on the application site; and
 - (vi) the lot owner should apply to his department for a land exchange, such application will be considered by the his department acting in the capacity as landlord at its sole discretion and there is no guarantee that such application will be approved. If such application is approved, it will be subject to such terms and conditions as considered appropriate including but not limited to the revision of site boundary, the payment of premium and administrative fee. There is no guarantee that any Government land involved will be granted;
- (c) to note the comments of the Commissioner for Transport that the local track leading to the

application site is not managed by his department. The land status, management and maintenance responsibilities of the local track should be clarified with the relevant lands and maintenance authorities accordingly;

- (d) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department that there is an unallocated Government land (UGL) which is not maintained by his department between the ingress/egress of the application site and Hang Tau Road. If the applicant is required to gain access from this UGL to the application site, he/she should sort out the access issue with the lands authority;
- (e) to note the comments of the Director of Environmental Protection:
 - (i) to facilitate the preparation of Noise Impact Assessment to be submitted under relevant planning approval condition/land title document, the applicant shall look into the following issues:
 - (1) to assess road traffic noise impacts on all noise sensitive rooms;
 - (2) to follow s.4.2.14 and s.4.2.15 of the Hong Kong Planning Standards and Guidelines (HKPSG) Chapter 9 to avoid line-of-sight of domestic premises to the adjacent vehicle parking facility;
 - (3) to identify whether there is any potential fixed noise source impact from surrounding environment and assess their impacts (if any);
 - (4) to provide details of mitigation measures, including extent and height of solid boundary wall with appropriate layout and section plans; and
 - (5) to address whether planned fixed noise source(s) within the proposed development (such as refuse collection point, clubhouse and transformer room, etc.) will be properly design to meet HKPSG criteria;
 - (ii) in preparation of the Sewerage Impact Assessment to be submitted under relevant planning approval condition, the applicant is required to rectify the following deficiencies:
 - (1) in Section 4, justification for estimated population of employees should be provided. For reference of worker density, it is suggested to follow the HKPSG Chapter 5 Table 2;
 - (2) in Section 5, "UFF 0.28m³/day" according to GESF Table T-2 "J11 Community, Social & Personal Services" for commercial employees ADWF calculation should be adopted;
 - (3) in Table 5.1, the "Q", the unit for "Estimated additional inflow" and whether it is for additional peak flow or average daily flow should be clarified; and

- (4) in Figure 5.1, the DS invert level for FHM1029683 to FMH1029680 is 8.79. Units for “Estimated additional inflow” and “Estimated Cumulative Peak Flow” should be provided;
- (f) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that tree preservation and removal proposal shall be submitted to relevant tree authority for approval prior to commencement of works;
- (g) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department:
- (i) presumably the application site abuts on a specified street of not less than 4.5m wide, and as such, the development intensity shall not exceed the permissible as stipulated under the First Schedule of the Building (Planning) Regulations (B(P)R). If the application site is not abutting on a specified street prescribed in B(P)R 18A, the development intensity shall be determined by the BA under the B(P)R 19(3) at building plan submission stage;
 - (ii) emergency vehicular access (EVA) for every building of the proposed development should be provided in accordance with the B(P)R 41D;
 - (iii) the applicant is advised to appoint an Authorised Person/Registered Structural Engineer/Registered Geotechnical Engineer and submit the required plans to the BA for approval in accordance with the Building Ordinance (BO). His position under the BO is hereby reserved;
 - (iv) the sustainable building design requirements and pre-requisites under the Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP 151 and 152 for GFA concessions would be applicable to development in the application site. In this connection, any non-mandatory or non-essential plant rooms of the development may not be accountable for GFA under the BO subject to their compliance with the above PNAPs; and
 - (v) detailed comments will be given at the building plan submission stage;
- (h) to note the comments of the Director of Fire Services:
- (i) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans or referral from relevant licensing authority; and
 - (ii) the EVA provision in the application site shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 under the B(P)R 41D which is administered by the Buildings Department;
- (i) to note the comments of the Chief Engineer/Construction, Water Supplies Department that for provision of water supply to the development, the applicant may need to extend his/her

inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to his department's standards.