

Previous Application

Approved Application

Application No.	Uses/Developments	Date of Consideration	Rejection Reasons
A/NE-KTS/364	Proposed Houses	22.5.2015	A1 to A7

Approval Conditions

- A1 the submission and implementation of a revised Master Layout Plan
- A2 the submission and implementation of tree preservation proposal and Landscape Master Plan
- A3 the design and provision of vehicular access, parking spaces and loading/unloading facilities
- A4 the submission of a revised Drainage Impact Assessment and the implementation of the drainage proposal and other necessary flood relief measures identified therein
- A5 the design and provision of the connection from the proposed development to the public sewerage system
- A6 the submission and implementation of proposals for water supplies for firefighting and fire service installations
- A7 the submission and implementation of proposal of compensatory planting areas for the loss of the mitigation woodland under the Rural Drainage Rehabilitation Scheme for River Beas

**Similar Applications within “CDA” Zones
on the Kwu Tung South Outline Zoning Plan**

Approved Applications

Application No.	Uses/Developments	Date of Consideration	Approval Conditions
A/NE-KTS/75*	Comprehensive Residential and Recreational Development	19.6.1998	A1 to A10
A/NE-KTS/220*	Proposed Comprehensive Residential Development	25.11.2005	A1, A2, A6, A8, A10 to A12
A/NE-KTS/267*	Proposed Comprehensive Residential Development	19.12.2008	A1, A2, A6 to A8, A10 to A13
A/NE-KTS/465	Proposed House Development and Minor Relaxation of PR and SC Restrictions	19.7.2019	A1, A2, A6 to A8, A10 to A14

* cover the same “CDA” site abutting Fanling Highway

Approval Conditions

- A1 The submission and implementation of a revised Master Layout Plan
- A2 The design and provision of vehicular ingress/egress/ access road, parking and loading/unloading facilities
- A3 The submission of a revised traffic impact assessment to take into account the proposed new road to Man Kam To Road and the junction capacity of Fan Kam Road/Castle Peak Road and implementation of the traffic improvement measures
- A4 The provision of non-building area for the proposed new road connecting Man Kam To Road to the New Territories Circular Road
- A5 The improvement of the existing van track along the south-western boundary of the proposed development
- A6 The submission of drainage impact assessment and/or implementation of drainage improvement measures / drainage proposal and drainage upgrading/drainage connection works or design and provision of drainage facilities
- A7 The submission of revised Sewerage Impact Assessment and/or implementation of sewage disposal facilities/ sewerage proposal and sewerage connection works

- A8 The submission and implementation of landscaping proposals / landscape master plan and/or tree preservation proposals and/or quarterly tree monitoring reports
- A9 The submission and implementation of tree felling and planting proposals, including a detailed tree survey and compensatory planting, and preservation of the existing orchard
- A10 Commencement Clause
- A11 The submission / implementation of the accepted noise mitigation measures
- A12 The submission of an implementation programme
- A13 The design and provision of water supplies for fire-fighting and fire service installations
- A14 The design and implementation of the proposed pedestrian crossing on Hang Tau Road and footpath abutting the site and Hang Tau Road

Detailed Comments from Lands Department

Comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD):

- (a) generally, with a view to ensuring the compliance with any proposed additional conditions under lease, it is the LandsD's requirement that any proposed additional conditions would only be considered to be incorporated under lease provided that there is a relevant bureau/department requesting for or in support of such additional conditions. Such bureau/department would be responsible for monitoring the grantee's compliance with such additional conditions. In the absence of such bureau/department's request or support, no additional conditions would be proposed and incorporated under lease for the proposed works;
- (b) paragraph 6.2.1 of the Traffic Impact Assessment (**Appendix Ia**) states that "... the traffic generation by the proposed development and major committed developments, can all be absorbed by the external road network with the proposed and committed junction improvement schemes". As these junction improvement schemes located away from the Site are not considered to be contingent upon development, such provisions would not be incorporated and implemented under lease;
- (c) Transport Department (TD) / Highways Department's (HyD) should confirm (i) whether proposed pedestrian crossing would be designated as Green Formation Area under the proposed lease and (ii) such areas would be taken over by TD/HyD as public road upon completion of road works by the applicant; and
- (d) under the sewerage impact assessment (Figure G4.1) (**Appendix Ia**), a sewer as shown in blue colour is proposed outside the Site. It is reckoned that such proposed sewer will be handled by the applicant and Drainage Services Department, outside the lease purview.

Advisory Clauses

- (a) to note the comments of the District Lands Officer/North, Lands Department as follows:
- (i) as the issue of the access to Lot 998 RP in D.D. 92 has not yet been clarified and subject to the decision of North District Lands Conference, the right-of-way clause may be imposed under the proposed land grant for the Site; and
 - (ii) his department acting in the capacity as landlord will further consider the land exchange application including both the development scheme and the re-grant lot boundary. If the land exchange is approved, it will be subject to such terms and conditions as considered appropriate including the payment of premium and administrative fee. There is no guarantee that the Government land involved will be granted nor land exchange application will be approved.

- (b) to note the comments of the Director of Environmental Protection as follows:

Noise Impact Assessment (NIA)

- (i) the applicant should submit a NIA report for the Master Layout Plan/General Building Plan and provision of mitigation measures to achieve full compliance with the noise criteria in Hong Kong Planning Standards and Guidelines (HKPSG) (including road traffic noise standard as committed by the applicant in the Environmental Assessment);
- (ii) selecting representative noise sensitive receivers (NSRs) for road traffic noise assessment should be revised. Assessment points should be assigned at all openable windows for ventilation at all noise sensitive rooms to demonstrate compliance with the road traffic noise standard;
- (iii) if there are planned fixed noise sources within the proposed development, they should be properly designed such that the noise planning standard under HKPSG can be complied with;
- (iv) Transport Department's (TD) agreement on the traffic forecast data adopted for road traffic noise assessment shall be provided. Should TD only expresses no comment on the methodology for traffic forecast, the consultant should provide written confirmation from respective competent party (e.g. traffic consultant) that TD's endorsed methodology has been strictly adopted in preparing the traffic forecast data and hence the validity of traffic data can be confirmed;
- (v) prior to the consideration of noise mitigation measures, the traffic noise assessment results, locations of sensitive facades with traffic noise exceedances and noise

compliance rate under the base scenario should be presented;

- (vi) the applicant should check with Civil Engineering and Development Department on the latest alignment of proposed roads and road improvement works under North East New Territories New Development Areas; and

Sewerage Impact Assessment (SIA)

- (vii) in the future revised SIA, the applicant should demonstrate no adverse sewerage impact from the proposed development even with the late implementation of upgrading works conducted by other project proponent (since the intake of Y/NE-KTS/12 would be later than the current application) and confirmation letter shall be provided to confirm that other project proponent is responsible for the upgrading works as illustrated in figure G3 of the SIA (**Appendix Ia**).
- (c) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department that the applicant shall implement the drainage and sewerage connections at his own cost and resources according to the approved design of relevant approval conditions.
 - (d) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) as follows:
 - (i) presumably the Site abuts on a specified street – Hang Tau Road 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 Site is not abutting on a specified street prescribed in B(P)R 18A, the development intensity shall be determined by the Building Authority (BA) under 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 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 Buildings 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 gross floor area (GFA) concessions would be applicable to development in the 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.

- (e) to note the comments of the Director of Agriculture, Fisheries and Conservation that the applicant should provide adequate compensatory planting area. His department will consider to take up the vegetation maintenance of the two compensatory planting areas subject to the followings:
 - (i) the compensatory planting areas are on unleased and unallocated Government land;
 - (ii) the proposed development is approved by all relevant authorities; and
 - (iii) the plantings are well-established and up to his satisfaction in terms of species composition, design and health and structural conditions of the plants.
- (f) to note the comments of the Director of Fire Services that emergency vehicular access provision 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) Regulations (B(P)R) 41D which is administered by Buildings Department. Detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans or referral from relevant licensing authority.
- (g) 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.
- (h) to note the comments of the Director of Electrical and Mechanical Services as follows:
 - (i) the project proponent/consultant/works contractor should liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of existing and planned gas pipes/gas installations in the vicinity of the Site and any required minimum set back distance away from them during the design and construction stages of development; and
 - (ii) the project proponent/consultant/works contractor is required to observe the Electrical and Mechanical Services Department's requirements on the "Avoidance of Damage to Gas Pipes 2nd Edition" for reference. The webpage address is: [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).