

**Similar s.16 Applications for Utility Installation for Private Project
within the Same “V” Zone on the Lau Fau Shan and Tsim Bei Tsui OZP**

Approved Applications

	<u>Application No.</u>	<u>Proposed Uses</u>	<u>Zoning</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Conditions</u>
1.	A/YL-LFS/165	Proposed Utility Installation for Private Project (Package Substation	“V”	14.9.2007	1, 2, 3
2.	A/YL-LFS/189	Proposed Utility Installation for Private Project (Electricity Package Transformer)	“V”	23.1.2009	2, 4
3.	A/YL-LFS/240	Proposed Private Utility Installation (Electricity Transformer and Switch Room) with Excavation (1.8m Deep) for Foundation and Cable Trench	“V”	5.10.2012	2, 5
4.	A/YL-LFS/256	Proposed Utility Installation for Private Project and Excavation of Land	“V”	7.2.2014	2, 5

Approval Condition(s)

1. The submission and implementation of drainage proposal.
2. The submission and implementation of landscape (and tree preservation) proposal.
3. The provision of emergency vehicular access, water supplies for firefighting and fire service installations.
4. The provision of portable hand-operated approved appliances.
5. The submission and implementation of a fire service installations proposal and/or the provision of water supplies for firefighting

Advisory Clauses

- (a) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. The Site is accessible from Tin Yuet Road through Government Land (GL) and private lots. Her office provides no maintenance work for the GL involved and does not guarantee any right-of-way to the Site. The lot owner(s) will need to apply to her office to permit the structures to be erected or regularize any irregularity on site. Applications for any of the above will be considered by the LandD acting in the capacity of the landlord or lessor 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, including among others the payment of premium or fee, as may be imposed by the LandsD;
- (b) to note the comments of the Commissioner for Transport (C for T) that the local track leading to the Site is not under the Transport Department's purview. The applicant shall obtain consent of the owners/managing departments of the local track for using it as the vehicular access to the Site;
- (c) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that HyD shall not be responsible for the maintenance of any access connecting the Site and Tin Yuet Road;
- (d) to note the comments of the Director of Fire Services (D of FS) that detailed fire service requirements will be formulated upon receipt of formal submission of general building plans. The emergency vehicular access (EVA) provision shall comply with the standard in Section 6, Part D of the *Code of Practice for Fire Safety in Building 2011* under the Building (Planning) Regulations 41D which is administrated by the Buildings Department;
- (e) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that the excavation and backfilling works should be carried out under the supervision of a competent person. Under the Building (Minor Works) Regulation, excavation with a depth between 0.3m to 3m falls within the items of Class I or Class II minor works and subject to the Minor Work Control System. The excavation works should be supervised by competent persons, who are Professional and/or Prescribed Registered Contractor. The applicant is advised to visit BD's website for details. Adequate precautionary measures and suitable working procedures should be adopted in carrying out the above works to safeguard the stability of any building, structure, land, street or services. Any precautionary measures, which involve new building works, are subject to the following: when any natural, formed or man-made land has due to any cause been rendered so dangerous or liable to become so dangerous that it will collapse, and thereby will cause, or will be likely to cause, a risk of injury to any person or damage to any property, enforcement action may be taken by the BD. Before any new building works (including containers/open sheds as temporary buildings, demolition and land filling) are to be carried out on the site, prior approval and consent of the BD should be obtained, otherwise they are unauthorized building works (UBW) under the Buildings Ordinance (BO). An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO. For UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with BD's 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.

The Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access (EVA) in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively; and

- (f) to note the comments of the Director of Health (D of Health) that the project proponent must ensure that the installation complies with the relevant International Commission on Non-Ionising Radiation Protection guidelines or other established international standards.