

**Similar Applications within the Same “V” Zone
on the approved Ping Shan OZP No. S/YL-PS/18**

Approved Applications

<u>Application No.</u>	<u>Zoning</u> (at the time of approval)	<u>Development/Use</u>	<u>Date of Consideration</u>	<u>Approval Conditions</u>
A/YL-PS/464	“V”	Proposed Filling of Land for Permitted New Territories Exempted Houses (Small House)	12.12.2014	(1), (2), (3)
A/YL-PS/474	“V”	Proposed Filling of Land for Permitted New Territories Exempted Houses (Small House)	13.3.2015	(1), (2), (3)
A/YL-PS/476	“V”	Proposed Filling of Land for Permitted New Territories Exempted Houses (Small House)	17.4.2015	(1), (2), (3)
A/YL-PS/480	“V”	Proposed Filling of Land for Permitted New Territories Exempted Houses (Small House)	3.7.2015	(1), (2), (3)
A/YL-PS/481	“V”	Proposed Filling of Land for Permitted New Territories Exempted Houses (Small House)	17.7.2015	(1), (2), (3)

Approval Conditions

- (1) Submission of drainage proposal including drainage mitigation measures before the issue of any certificate of exemption by the Lands Department
- (2) Implementation of drainage proposal upon completion of the land filling works
- (3) Revocation clauses.

Advisory clauses

- (a) to resolve any land issues relating to the development with the concerned owner(s) of the application site (the Site);
- (b) to note the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD)'s comments that regarding the Small House application under processing, the registered lot owner(s) should inform DLO/YL, LandsD about the planning approval. DLO/YL will consider the Small House application(s) acting in the capacity of a landlord at its sole discretion in accordance with the New Territories Small House Policy. There is no guarantee that such application(s) would be approved. Besides, in general, application for New Territories Exempted House(s) (NTEH) development other than under New Territories Small House Policy will not be entertained. Any applications, if approved, would be subject to such terms and conditions including, among others, the payment of premium and/or administrative fee as may be imposed by the LandsD;
- (c) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that site formation works and drainage works are building works under the control of the Buildings Ordinance (BO). Before any new site formation and/or drainage works are to be carried out on the Site, the prior approval and consent of the Building Authority (BA) should be obtained, otherwise they are Unauthorized Building Works (UBW). An Authorized Person (AP) should be appointed as the coordinator for the proposed site formation and/or drainage works in accordance with the BO. The Director of Lands may issue a certificate of exemption from prior approval and consent of the BA in respect of site formation and/or drainage works in the New Territories under the Buildings Ordinance (Application to the New Territories) Ordinance. The applicants may approach the DLO/YL, LandsD or seek AP's advice for details;
- (d) to note the comments of the Commissioner for Transport that the Site is connected to the public road network via a section of a local access which is not managed by Transport Department (TD). The land status of the local access road should be clarified with the LandsD by the applicants. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly;
- (e) 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 Fuk Shun Street. Approval of TD shall be obtained for the proposed access arrangement for construction vehicles (e.g. dump truck, etc.), if any. No road furniture (e.g. barrier, bollards, etc.) shall be removed unless approval of TD and HyD is obtained. Adequate drainage measures should be provided at the Site access to prevent surface water flowing from the Site to nearby public roads/drains. The applicants are reminded that the approval is granted on the understanding that there is and will be no vehicular access to and from the Site, with a view to avoiding future dispute;
- (f) to note the comments of the Director of Environmental Protection the followings:
 - (i) From environmental point of view, the applicant is advised to adopt appropriate water pollution preventive measures/practices set out in the following guidance notes to prevent polluting adjacent waterbodies during the proposed filling of pond:
 - Practice Note for Professional Person (ProPECC) PN 1/94 "Construction Site Drainage"

https://www.epd.gov.hk/epd/sites/default/files/epd/english/resources_publications/files/pn94_1.pdf

- Recommended Pollution Control Clauses for Construction Contracts
https://www.epd.gov.hk/epd/english/environmentinhk/eia_planning/guide_ref/rpc_1.html

- (ii) It is the obligation of the applicants to meet all statutory requirements under relevant pollution control ordinances and provide necessary mitigation measures.
- (iii) For the permitted NTEHs, the applicant should follow the requirements in Chapter 9 of the HKPSG for sewage disposal. If septic tank and soakaway system is used, its design and construction should follow the requirements of the ProPECC PN 5/93 “Drainage Plans subject to Comment by the Environmental Protection Department”. Provisions should be made for connections to public foul sewers when such is available in the vicinity.
- (g) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that for provision of water supply to the development, the applicants may need to extend their inside services to the nearest government water mains for connection. The applicants shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the installation, operation and maintenance of any sub-main within the private lots to the WSD’s standards;
- (h) to note the comments of the Director of Fire Services (D of FS) that the applicants are advised to follow “New Territories Exempted Houses – A Guide to Fire Safety Requirements” issued by the LandsD;
- (i) to note the comments of Director of Electrical and Mechanical Services (DEMS) that in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable or overhead line under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the concerned site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation when carrying out works in the vicinity of the electricity supply lines;
- (j) to note the comments of the Head (Geotechnical Engineering Office), Civil Engineering and Development Department (H(GEO), CEDD) that the applicants should be reminded to submit the proposed site formation works to the satisfaction of the Buildings Department prior to commencement of the proposed site formation works, if found necessary; and
- (k) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that No Food and Environmental Hygiene Department’s (FEHD) facilities will be affected and no environmental nuisance, pest infestation and obstruction to the surrounding should be caused. The applicants should arrange their disposal of waste properly at their own expenses. Proper licence/permit issued by his department is required if there is any catering service/activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public.