

**Previous Applications covering the Application Site**

**Approved Applications**

	<b><u>Application No.</u></b>	<b><u>Proposed Use</u></b>	<b><u>Date of Consideration by RNTPC</u></b>	<b><u>Approval Conditions</u></b>
1	A/YL-KTN/293	Temporary public vehicle park (excluding container vehicle) for a period of 5 years	18.4.2008 (approved for 3 years) [revoked on 18.10.2008]	(1), (2), (3), (4), (5), (6), (7), (8), (9)
2	A/YL-KTN/335	Proposed temporary public vehicle park (excluding container vehicle) for a period of 5 years	20.11.2009 (approved for 1 year)	(1), (2), (3), (5), (6), (7), (8), (9), (10), (11)
3	A/YL-KTN/348	Renewal of planning approval for temporary "public vehicle park (excluding container vehicle) for a period of 5 years	12.11.2010 (approved for 3 years)	(1), (2), (3), (7), (8), (9), (10), (11), (12), (13)
4	A/YL-KTN/439	Temporary "public vehicle park (excluding container vehicle) for a period of 5 years	4.4.2014 (approved for 3 years) [revoked on 4.7.2014]	(1), (2), (3), (7), (8), (9), (10), (11), (12), (13), (14)
5	A/YL-KTN/485	Temporary Public Vehicle Park (excluding container vehicle) for a period of 5 years	16.11.2015 (approved for 5 years)	(1), (2), (3), (6), (7), (8), (9), (10), (11), (12), (14)

**Approval conditions**

- (1) No parking of vehicles without valid licences issued under the Road Traffic Regulations
- (2) No parking or storage of medium or heavy goods vehicles exceeding 5.5 tonnes and container trailers/tractors
- (3) No vehicle dismantling, maintenance, repairing, cleansing, car washing paint spraying or other workshop activities
- (4) The setting back at the site to avoid the existing water mains
- (5) Submission and implementation of landscape proposal
- (6) Submission and implementation of drainage proposal
- (7) Provision/maintenance of mitigation measures to minimize any possible nuisance of noise and artificial lighting on the site
- (8) Revocation of planning conditions if the planning conditions are not complied with during the approval period or by specified date
- (9) Reinstatement of the site to an amenity area
- (10) Provision/maintenance of boundary fencing
- (11) Submission and implementation of fire service installations proposal
- (12) Maintenance of existing landscape plantings / implementation of approved tree preservation proposal
- (13) Maintenance of existing drainage facilities
- (14) No reversing of vehicles into or out from the site



**Appendix III of RNTPC**  
**Paper No. A/YL-KTN/600**

**Similar Applications within the Same “V” Zone on Kam Tin North Outline Zoning Plan**

**Approved Applications**

	<b><u>Application No.</u></b>	<b><u>Proposed Use</u></b>	<b><u>Date of Consideration by RNTPC</u></b>	<b><u>Approval Conditions</u></b>
1	A/YL-KTN/96	Proposed public car park	10.9.1999 (approved for 3 years)	(1), (2), (3), (4), (5), (6), (7)
2	A/YL-KTN/426	Temporary public vehicle park for private car and ancillary car beauty service for a period of 3 years	17.1.2014	(1), (2), (5), (8), (9), (10), (11), (12), (13), (14)

**Approval conditions**

- (1) No parking of vehicles without valid licences issued under the Traffic Regulations
- (2) No container vehicles or lorries
- (3) Submission of car parking layout
- (4) Provision of vehicular access arrangement
- (5) Submission and/or implementation of landscape proposal
- (6) Provision of drainage facilities
- (7) Reinstatement of the site to an amenity area
- (8) Restriction on operation time/hours
- (9) Notice should be posted to indicate no medium or heavy goods vehicles exceeding 5.5 tones as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site
- (10) No dismantling, maintenance, repairing or paint spraying activities
- (11) No reversing of vehicles into or out from the site
- (12) Submission and provision of fire service installations proposal
- (13) Revocation of planning conditions if the planning conditions are not complied with during the approval period or by specified date
- (14) Reinstatement of the site to an amenity area



**Advisory clauses**

- (a) resolve any land issues relating to the development with the concerned owner of the Site;
- (b) prior planning permission should have been obtained before commencing the development;
- (c) note DLO/YL, LandsD's comments 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 to Kam Tin Road via Government land (GL). His office provides no maintenance work for the GL involved and does not guarantee any right-of-way to the Site. The Site falls within Shek Kong Airfield Height Restriction Area (SKAHRA). The height of the proposed structure shall not exceed the relevant airfield height limit within SKAHRA. The STW holder(s) will need to apply to his office for modification of the STW conditions to regularize any irregularities (if any) on site. The owner(s) of the lot without STW will need to apply to his office to permit the structures to be erected or regularize any irregularities on site. Such application(s) will be considered by LandsD acting in the capacity as the landlord or lessor at its sole discretion and there is no guarantee that such application(s) will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of premium or fees, as may be imposed by the LandsD;
- (d) note C for T's comments that the Site is connected to the public road network via a section of a local access road which is not managed by Transport Department. The land status of the local access road should be checked with the LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly;
- (e) note CHE/NTW, HyD's comments that HyD does not and will not maintain any access connecting the Site and Kam Tin Road. The applicant should be responsible for his own access arrangement. Adequate drainage measures should be provided to prevent surface water running from the Site to nearby public roads/drains;
- (f) adopt the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" issued by DEP to minimize any potential environmental nuisances;
- (g) note DAFC's comments that the applicant should avoid damaging the trees adjoining the western part of the Site;

- (h) note D of FS's comments that in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSIs to be installed should be clearly marked on the layout plans. The applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans; and
  
- (i) note CBS/NTW, BD's comments that if the existing structures are erected on leased land without approval of the BD (not being New Territories Exempted Houses), they are unauthorized under the Buildings Ordinance (BO) and should not be designated for any use under the application. Before any new building works (including containers / open sheds as temporary buildings) are to be carried out on the Site, the prior approval and consent of BD should be obtained. Otherwise, they are Unauthorized Building Works (UBW). An Authorized Person should be appointed as the coordinator for the proposed building works in accordance with the BO. The Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively. If the Site does not abut on a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage. For UBW erected on leased land, enforcement action may be taken by 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.