

**Similar Applications within the same “V” zone on the Pat Heung OZP**

**Approved Applications**

	<b><u>Application No.</u></b>	<b><u>Proposed Use(s)</u></b>	<b><u>Date of Consideration (RNTPC/TPB)</u></b>	<b><u>Approval Condition (s)</u></b>
1.	A/YL-PH/35	Public Car Park	12.1.1996 (for 1 year)	(3), (4), (5), (6)
2.	A/YL-PH/78	Public Car Park	28.2.1997 (for 5 years)	(1), (5), (6)
3.	A/YL-PH/88	Proposed Public Car/Lorry Park	16.5.1997 (for 3 years)	(1), (5), (6), (7)
4.	A/YL-PH/149	Proposed Public Car Park for a Period of 12 Months	5.12.1997 (for 1 year)	(1), (2), (4), (5), (6), (7)
5.	A/YL-PH/746	Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years	12.5.2017	(1), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15)
6.	A/YL-PH/777*	Proposed Temporary Covered Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years	4.5.2018	(1), (6), (7), (8), (9), (10), (11), (14), (15), (16)

\* 22% of the site falls within the same “V” zone and 78% of the site falls within the adjacent “Open Storage” zone

**Approval conditions**

- (1) No vehicle without valid licences issued under the Traffic Regulations would be allowed
- (2) No lorry/container vehicle would be allowed/only private cars area allowed
- (3) Paving of the site
- (4) Provision of vehicular access arrangement/ provision of run-in/out of 7m wide
- (5) Submission and implementation of landscaping proposals
- (6) Submission of a drainage impact assessment and implementation of flood mitigation measures/provision /maintenance of drainage facilities
- (7) Reinstatement of the site to an amenity area
- (8) No medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period
- (9) A notice should be posted at a prominent location of the site to indicate that no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period
- (10) No vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period
- (11) No dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the planning approval period
- (12) Provision of fencing
- (13) Submission and implementation of drainage proposal
- (14) Submission and/ or implementation of the accepted fire service installations proposal

- (15) Revocation of the planning approval if any of the planning conditions is not complied with by the specified dated or during the planning approval period
- (16) Restrictions on operation hours

**Advisory Clauses**

- (a) resolve any land issues relating to the development with the concerned owners of the Site;
- (b) note DLO/YL, LandsD's comments that the Site comprises Old Scheduled 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 GL and private land. 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 lot owner(s) will need to apply to his office to permit the structures to be erected or regularize any irregularities on site, if any. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. No construction of New Territories Exempted Building(s) will be considered or allowed. Applications for any of the above will be considered by LandsD acting in the capacity as landlord or lessor at its sole discretion and there is no guarantee that such application 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 fee, as may be imposed by the LandsD;
- (c) 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;
- (d) note CHE/NTW, HyD's comments that HyD does not and will not maintain the accesses connecting the Site and Kam Tin Road. Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (e) follow the relevant mitigation measures and requirements in the latest "Code of Practice on Handling the Environmental Aspects of Open Storage and Temporary Uses" issued by the DEP;
- (f) note D of FS's comments that the in consideration of the design/nature of the proposal, 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;
- (g) note CE/C, WSD's comments that existing water mains will be affected as shown on **Plan A-2** of the RNTPC paper. A waterworks reserve within 1.5m from the centerline of the water mains shall be provided to WSD. No structure shall be built or

materials stored within this waterworks reserve. Free access shall be made available at all times for staff of the Director of Water Supplies or their contractor to carry out construction, inspection, operation, maintenance and repair works. No tree or shrubs with penetrating roots may be planted within the Waterworks Reserve or in the vicinity of the water main shown on **Plan A-2** of the RNTPC paper. Government shall not be liable to any damage whatsoever and howsoever caused arising from burst or leakage of the public water mains within and in close vicinity of the Site; and

- (h) note CBS/NTW, BD's comments that 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 the BD should be obtained, otherwise they are Unauthorized Building Works (UBW). 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 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.