

Similar Application within the same "V" Zone on the Pat Heung OZP

Approved Application

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration By RNTPC/TPB</u>	<u>Approval Conditions</u>
1.	A/YL-PH/761	Proposed Temporary Shop and Services (Pet Clinic) for a Period of 3 Years	8.12.2017	(1), (2), (3), (4), (5), (6), (7)

Approval Conditions:

- (1) Restriction on operation hours/time / no vehicle is allowed to queue back to or reverse onto/from public road
- (2) No overnight stay of animals on-site
- (3) No medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, are allowed to be parked/stored on or enter the site
- (4) Submission and implementation of drainage proposal
- (5) Submission of fire service installations proposal and provision of fire service installations
- (6) Revocation of the planning approval if any of the planning conditions is not complied by the specified date or during the planning approval period
- (7) Reinstatement of the site to an amenity area upon expiry of the planning permission

Appendix IV of RNTPC
Paper No. A/YL-PH/818A

Advisory Clauses

- (a) resolve any land issues relating to the temporary use with the concerned owner(s) of the Site;
- (b) 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 from Fan Kam Road via Government Land (GL) and private land. His office provides no maintenance work for the GL involved and does not guarantee any right-of-way over the GL to the Site. The Site falls within the Shek Kong Airfield Height Restriction Area (SKAHRA). The height of the proposed structure shall not exceed the relevant airfield height limit within the SKAHRA. The applicant has to apply to his office for implementation of the planning scheme and to provide full justifications before he will consider to issue Short Term Waivers (STWs). However, there is no guarantee that such application will be approved;
- (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 the 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 his department is not/shall not be responsible for the maintenance of any access connecting the Site and Fan Kam Road. Adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads or exclusive road drains;
- (e) note DEP's comments that the applicant is advised to follow the relevant mitigation measures and requirements in the latest "Code of Practice on Handling the Environmental Aspect of Temporary Uses and Open Storage Sites" issued by the DEP. The applicant is reminded that effluent discharges from the proposed use are subject to control under the Water Pollution Control Ordinance (WPCO). A discharge licence under the WPCO should be obtained before a new discharge is commenced. It is the obligation of the applicant to meet all statutory requirements under relevant pollution control ordinances and provide necessary mitigation measures;
- (f) note D of FS's comments that 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. The applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (BO) (Cap. 123) or application for licence for the proposed ancillary canteen is required, detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans or

referral from relevant licensing authority respectively;

- (g) note DAFC's comments that the applicant is reminded to avoid polluting or disturbing the nearby stream during the construction and operation of the proposed development;
- (h) note CBS/NTW, BD's comments that 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 Building Authority should be obtained, otherwise they are unauthorized building works (UBW) under the 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 in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively. The Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage;
- (i) note DFEH's comments that proper licence / permit issued by Food and Environmental Hygiene Department (FEHD) is required if there is any food business / catering service / activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public and the operation of any business should not cause any obstruction. If the proposal involves any commercial/trading activities, no environmental nuisance should be generated to the surroundings. Also, for any waste generated from the commercial/trading activities, the applicant should handle on their own/at their expenses; and
- (j) note CE/C, WSD's comments 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 incised services within the private lots to WSD's standards.