

**Similar Application Within the Same "AGR(1)" Zone on the
Approved Kwu Tung North Outline Zoning Plan No. S/KTN/2**

Approved Applications

Application No.	Uses/Developments	Date of Consideration	Approval Conditions
A/KTN/9	Proposed Temporary Hobby Farm for a Period of 3 Years	19.06.2015 (revoked on 19.3.2016)	A1-A6

Approval Conditions:

- A1 No operation between 6:00 p.m. and 9:00 a.m. from Mondays to Sundays
- A2 No parking, queuing or reverse movement of vehicles
- A3 The submission and implementation of drainage proposals
- A4 The submission and implementation of proposals of water supplies for fire fighting and fire service installations
- A5 The implementation of accepted landscape proposal
- A6 No bird-proofing nets affecting the flight route of migratory birds shall be set up on the site

Advisory Clauses

- (a) the permission is given to the development/use under application. It does not condone any other development/use which are not covered by the application;
- (b) note DLO/N, LandsD's comments that the Site is an Old Schedule lot held under the Block Government (demised for agricultural use) without any guarantee of right of access. The applicant should make its own arrangement, and there is no guarantee that any adjoining Government Land (GL) will be allowed for the vehicular access of the proposed use. The existing structures on the Site was erected without approval from his office. They are not acceptable under the Lease concerned. His office reserves the right to take enforcement actions against the aforesaid structures. According to the proposed use, 2 toilets would be erected on the Site. Any proposed toilet facilities should meet current health requirements. Temporary structures would be erected for rearing sheep. The applicant should comply with all health requirements on the treatment of animal waste and environmental hygiene laid down by the relevant Government departments. The owner of the lot concerned shall apply to his office for a Short Term Waiver (STW) and/or Letter of Approval (LoA) to cover all the actual occupation area. The application for STW and/or LoA will be considered by Government in its landlord's capacity and there is no guarantee that it will be approved. If the STW is approved, its commencement date would be backdated to the first date of occupation and it will be subject to such terms and conditions to be imposed including payment of waiver fee and administrative fees as considered appropriate by his office;
- (c) note C for T's comments that the local track leading to the Site is not managed by his department. The applicant should check the land status, management and maintenance responsibilities of the local track with the relevant lands and maintenance authorities accordingly;
- (d) note CHE/NTW, HyD's comments that HyD is not/shall not be responsible for the maintenance of any access connecting the Site and Ho Sheung Heung Road;
- (e) note DEP's comments that the applicant should provide adequate supporting infrastructure/facilities for proper collection, treatment and disposal of waste/wastewater generated from the proposed use, and follow the relevant mitigation measures and requirements in the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" to minimize any potential environmental nuisance. If septic tank and soakaway system will be used in case of unavailability of public sewer, its design and construction shall follow the requirements of EPD's Practice Note for Professional Person (ProPECC) PN 5/93 "Drainage Plans subject to Comment by the Environmental Protection Department";
- (f) note DAFC's comment that that the applicant should tend the goats at all times if the goats are roaming and free grazing to combat nuisance; and that the Site should be reinstated upon the expiry of the planning permission in order not to impose any limitations of the land for agricultural purpose;

- (g) note CBS/NTW, BD's comments that if the existing structures (not being a New Territories Exempted House) are erected on leased land without approval of the BD, they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the application. 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. Before any new building works (including containers/open sheds as temporary buildings and land filling) are to be carried out on the Site, prior approval and consent of the BD should be obtained, otherwise they are UBW. An Authorized Person (AP) should be appointed as the co-ordinator 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; and
- (h) note D of FS's advice that the applicant should 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 FSI to be installed should be clearly marked on the layout plans. 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.