

**Appendix II of RNTPC  
Paper No. A/YL-KTN/628**

**Previous s.16 Applications covering the Site**

**Approved Applications**

	<b><u>Application No.</u></b>	<b><u>Proposed Use(s)</u></b>	<b><u>Date of Consideration (RNTPC)</u></b>	<b><u>Approval Condition(s)</u></b>
1.	A/YL-KTN/39	Public Car Park	24.10.1997 for a period of 3 years	(4), (6), (8), (10)
2.	A/YL-KTN/131	Proposed temporary public car park for a period of 3 years	30.3.2001 [revoked on 30.9.2001]	(4), (6), (7), (8), (9)
3.	A/YL-KTN/415	Temporary Staff Canteen for a Period of 3 Years	6.9.2013 [revoked on 6.12.2014]	(1), (2), (3), (4), (5), (6), (7), (8)

**Approval Conditions:**

- (1) Restriction on operation hours
- (2) Maintenance of boundary fencing
- (3) No vehicle reversing onto/from Kam Tin Road is allowed
- (4) Submission and/or implementation of drainage proposal
- (5) Submission and provision of proposals for fire service installations and water supplies for fire fighting
- (6) Submission and/or implementation of landscape proposal
- (7) Revocation of planning permission if the planning conditions were not complied with during planning approval or by specified date.
- (8) Reinstatement of the Site to an amenity area upon expiry of the planning permission
- (9) No container trailers/tractors are allowed to be parked/stored on the application site
- (10) No vehicles without valid licences issued under the Traffic Regulations by the Commissioner for Transport are allowed to be parked/stored on the site



**Appendix IV of RNTPC**  
**Paper No. A/YL-KTN/628**

**Advisory Clauses**

- (a) prior planning permission should have been obtained before commencing the applied use at the Site;
- (b) note DLO/YL, LandsD's comments that the Site comprises on Old Schedule Agricultural Lot 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 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 over the GL 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 where appropriate. 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 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 fee, as may be imposed by the LandsD;
- (c) note C for T's comments that the applicant is reminded that sufficient space within the Site should be provided for manoeuvring of vehicles. The Site is connected to the public road network via a local access road which is not managed by Transport Department. The land status of that local access road should be checked with the LandsD. Moreover, the management and maintenance responsibilities of that local access road should be clarified with the relevant lands and maintenance authorities accordingly;
- (d) note CHE/NTW, HyD's comments that his department 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 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 Temporary uses and Open Storage Sites" issued by DEP;
- (f) note D of FS's comments that in consideration of the design/nature of the proposals, 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 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 safety requirements will be formulated upon receipt of formal submission of general building plans; and

- (g) 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. If the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the BD, they are UBW under the BO and should not be designated for any proposed use under the current planning 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. 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.