

Appendix II of
RNTPC Paper No. A/YL-SK/252

Previous Application covering the Application Site

Approved Application

	Application No.	Proposed Uses	Date of Consideration (RNTPC/TPB)	Approval Condition
1.	A/YL-SK/33	In-situ improvement works to an existing vehicle repair workshop (paving of the site)	6.12.1996	(1)

Approval Condition

- (1) the permission shall cease to have effect on 6.12.1998 unless prior to the said date either the development hereby permitted is commenced or the permission is renewed.

Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the Premises;
- (b) to resolve any land issues relating to the temporary use with the concerned owner(s) of the Site;
- (c) note DLO/YL, LandsD's comments that the Site comprises an 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. Within the Site, Lot No. 319 S.B RP in D.D 112 is currently covered by STW No. 2075 to permit structure(s) erected thereon for the purpose of "Car Repairing". The Site is accessible from Kam Sheung 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 the 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) need to apply to his office for modification of the STW conditions where appropriate. Besides, given the applied use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. No construction of New Territories Excepted 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 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 his department. The land status of the local access road should be checked with the Lands Department. 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 his department does not and will not maintain the access connecting the Site and Kam Sheung Road. Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (f) adopt the revised "Code of Practice on Handling the Environmental Aspects of Temporary uses and Open Storage Sites" (the COP) to minimise any potential environmental nuisances;
- (g) note CE/MN, DSD's comments that the applicant should implement the drainage facilities on Site in accordance with the agreed drainage proposal. The applicant is required to rectify the drainage system if they are found to be inadequate or ineffective

during operation. The applicant shall also be liable for and shall indemnify claims and demands arising out of drainage or nuisance caused by a failure of the drainage system. The development would neither obstruct overland flow nor adversely affected any existing natural streams, village drains, ditches and the adjacent areas. The applicant should consult DLO/YL and seek consent from relevant lot owners for any works to be carried out outside his lot boundary before commencement of the drainage works;

- (h) note DAFC's comments that the applicant is reminded to avoid causing pollution to the drainage channel abutting the Site;
- (i) 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 plan 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. The applicant is reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans; and
- (j) note CBS/NTW, BD's comment that Before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Site, 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 coordinator 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 BD, they are unauthorized building works (UBW) under the 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. 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 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 Building (Planning) Regulation at the building plan submission stage.