

Previous s.16 Applications covering the Application Site

Approved Applications

	<u>Application No.</u>	<u>Proposed Use</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Conditions</u>
1	A/YL-KTN/292	Temporary private car park for a period of 3 years	28.3.2008 (revoked on 28.9.2008)	(1), (2), (3), (4), (5), (6), (7), (8)
2	A/YL-KTN/326	Temporary private car park for a period of 3 years	5.6.2009	(1), (2), (3), (4), (5), (6), (7), (8)
3	A/YL-KTN/393	Temporary private car park for a period of 3 years	21.12.2012	(1), (2), (3), (4), (5), (6), (7), (8)
4	A/YL-KTN/492	Renewal of Planning Approval for Temporary "Private Car Park" for a Period of 3 Years	4.12.2015	(1), (2), (3), (4), (6), (7), (8), (9), (10), (11)

Approval Conditions:

- (1) No parking of vehicles without valid licences issued under the Traffic Regulations
- (2) No medium or heavy goods vehicles (i.e. exceeding 5.5 tonnes) or container trailer/tractor is allowed
- (3) No vehicle maintenance, repairing, dismantling, paint spraying or other workshop activities or car washing shall be undertaken
- (4) Provision of mitigation measures to minimize any possible nuisance of noise and artificial lighting on the site to the residents nearby
- (5) Submission and/or implementation of landscape proposal
- (6) Submission and/or implementation of drainage proposal/ record
- (7) If planning condition is not complied with during the approval period or by a specific date, the approval shall cease to have effect and be revoked without further notice
- (8) Reinstatement of the site to an amenity area upon expiry of the planning permission
- (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 as defined in the Road Traffic Ordinance or container trailers/tractors are allowed to be parked/stored on or enter/exit the site
- (10) All existing trees and landscape plantings on the site shall be maintained
- (11) Submission and implementation of fire service installations proposal.

Similar Applications within the same “CDA” zone on the Kam Tin North OZP

Approved Applications

	<u>Application No.</u>	<u>Proposed Use</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Conditions</u>
1	A/YL-KTN/291	Temporary private car park for a period of 3 years	28.3.2008 (revoked on 28.9.2008)	(2), (5), (6), (8), (9), (10), (11), (12), (13), (14)
2	A/YL-KTN/325	Temporary private car park for a period of 3 years	5.6.2009	(2), (5), (6), (8), (9), (10), (11), (12), (13)
3	A/YL-KTN/385	Temporary private car park for a period of 3 years	5.10.2012	(2), (5), (6), (8), (9), (10), (11), (12), (13)
4	A/YL-KTN/479	Temporary private car park for a period of 3 years	18.9.2015 [revoked on 6.1.2016]	(2), (5), (6), (9), (10), (11), (12), (13)
5	A/YL-KTN/533	Temporary Private Car Park (Private Cars) for a Period of 3 Years	12.8.2016	(5), (6), (8), (9), (10), (12), (13), (15), (16)

Approval Conditions:

- (1) Restriction on operation hours
- (2) No vehicle maintenance, repairing, dismantling, paint spraying or other workshop activities or car washing shall be undertaken
- (3) Provision of access for KCRC to carry out site investigation for Northern Link project
- (4) Setting back of development from Government Land
- (5) Submission and implementation of landscaping proposals or maintenance of landscape planting
- (6) Submission and implementation/maintenance of drainage facilities/drainage record
- (7) Fencing of the site
- (8) Reinstatement of the site to an amenity area upon expiry of the planning permission, the
- (9) If planning condition is not complied with by a specific date, the approval shall cease to have effect and be revoked without further notice
- (10) If planning condition is not complied with at any time during planning approval, the approval shall cease to have effect and be revoked without further notice.
- (11) No medium or heavy goods vehicles (i.e. exceeding 5.5 tonnes) or container trailers/tractors are allowed
- (12) No parking of vehicles without valid licences issued under the Traffic Regulations
- (13) Provision of mitigation measures to minimize any possible nuisance of noise and artificial lighting on the site to the residents nearby
- (14) Provision of a 9-litre water type/3kg dry powder fire extinguisher
- (15) no reversing of vehicle into or out from the site is allowed
- (16) Submission and implementation of fire service installations proposal

Appendix IV of RNTPC
Paper No. A/YL-KTN/634

Detailed Comments from the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD)

1. For the sake of safety, the applicant is required to rectify the damaged fencing and remove the fallen tree.
2. The applicant is recommended to provide replacement tree in order to strengthen the landscape screening effect surround the peripheral of the Site. The applicant is reminded to provide tree stake for newly planted tree.
3. The applicant is recommended to step up horticultural maintenance works including weed control and pruning works where appropriate. Please make reference to the following promulgated by GLTM Section under Development Bureau:
 - 護養樹木的簡易圖解
https://www.greening.gov.hk/filemanager/content/pdf/tree_care/Pictorial_Guide_for_Tree_Maintenance.pdf
 - 樹木修剪的錦囊（小冊子）
https://www.greening.gov.hk/filemanager/content/pdf/tree_care/factsheet_c.pdf
 - 處理樹樁指引
https://www.greening.gov.hk/filemanager/content/pdf/tree_care/Guideline_on_Tree_Stump_Treatment_c.pdf
 - 以支撐和拉纜固定樹木
https://www.greening.gov.hk/filemanager/content/images/tree_care/Staking_and_Guying_of_Trees_c.jpg
 - 減低樹木風險的樹木護養簡易圖解
[https://www.greening.gov.hk/filemanager/content/pdf/tree_care/PictorialGuideForTreeMaintenanceToReduceTreeRisk\(eng\).pdf](https://www.greening.gov.hk/filemanager/content/pdf/tree_care/PictorialGuideForTreeMaintenanceToReduceTreeRisk(eng).pdf)

Advisory Clauses

- (a) resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (b) note DLO/YL'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 and a New Grant Lot for house and agricultural purposes, LandsD reserves the right of the lot(s), in the event of any breach of the lease conditions and any irregularities found at the lot(s). The Site is accessible from San Tam Road via a local access through both Government land (GL) and private land. LandsD provides no maintenance work for the GL involved and does not guarantee any right-of-way. A 400kV Overhead Powerlines from Yuen Long Substation to Ta Kwu Ling Border held by China Light and Power Company Limited (CLP) is affected. CLP's comments should be sought. The lot owners will need to apply to his office to permit the structures to be erected or regularize any irregularity 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 the LandsD acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such application will be approved. If such application 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 which are not managed by Transport Department (TD). The land status of the local access road should be clarified 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 any access connecting the Site and San Tam 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. The portion of adjacent Slope No. 2SE-C/C273 under HyD's maintenance should not be affected;
- (e) note CE/RD2-2, RDO, HyD's comments that the Site falls within the area of influence of the proposed Northern Link (the NOL). Although the programme and the alignment of the proposed NOL are still under review, those areas within the

railway protection boundary may be required to be vacated at the time for the construction of the proposed NOL;

- (f) adopt the relevant mitigation measures and requirements in the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites” issued by DEP to minimise any potential environmental nuisances;
- (g) note CTP/UD&L, PlanD’s comments that for the sake of safety, the applicant is required to rectify the damaged fencing and remove the fallen tree. The applicant is recommended to provide replacement tree in order to strengthen the landscape screening effect surround the peripheral of the site. The applicant is reminded to provide tree stake for newly planted tree. The applicant is recommended to step up horticultural maintenance works including weed control and pruning works where appropriate. Please make reference to the following promulgated by GLTM Section under Development Bureau:
 護養樹木的簡易圖解
https://www.greening.gov.hk/filemanager/content/pdf/tree_care/Pictorial_Guide_for_Tree_Maintenance.pdf
 樹木修剪的錦囊（小冊子）
https://www.greening.gov.hk/filemanager/content/pdf/tree_care/factsheet_c.pdf
 處理樹樁指引
https://www.greening.gov.hk/filemanager/content/pdf/tree_care/Guideline_on_Tree_Stump_Treatment_c.pdf
 以支撐和拉纜固定樹木
https://www.greening.gov.hk/filemanager/content/images/tree_care/Staking_and_Guying_of_Trees_c.jpg
 減低樹木風險的樹木護養簡易圖解
[https://www.greening.gov.hk/filemanager/content/pdf/tree_care/PictorialGuideForTreeMaintenanceToReduceTreeRisk\(eng\).pdf](https://www.greening.gov.hk/filemanager/content/pdf/tree_care/PictorialGuideForTreeMaintenanceToReduceTreeRisk(eng).pdf)
- (h) 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 centreline 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;
- (i) 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 BD should be obtained. Otherwise, they are Unauthorized Building Works (UBW). An Authorized Person should be appointed

as the coordinator 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. For UBW erected on leased land, enforcement action may be taken by 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;

- (j) note DEMS' comments that there are 400kV extra high voltage overhead lines running across the Site, which is within the preferred working corridor of the concerned overhead lines as stipulated in the Hong Kong Planning Standard and Guidelines (HKPSG). The applicant should refer to the requirements of minimum safety clearance, minimum vertical clearance and preferred working corridor of the concerned overhead lines as stipulated in Clause 2.3.5, 2.3.6 and 2.3.14 under Chapter 7 - Utility Services of the HKPSG and ensure they shall be maintained at any time during and after construction. No scaffolding, crane and hoist shall be built or operated within 6m from the outermost 400kV conductors at all times. Warning notices should be posted at conspicuous locations to remind operators and workers of the site boundary. CLP Power shall be consulted on the safety precautions required for carrying out any works near the concerned overhead lines. In any time during and after construction, CLP Power shall be allowed to get access to the working corridor area of the concerned overhead lines for carrying out any operation, maintenance and repair work including tree trimming. The Electricity Supply Lines (Protection) Regulation and the "Code of Practice on Working near Electricity Supply Lines" established under the Regulation shall be observed by the applicant and his contractors when carrying out works in the vicinity of the electricity supply lines. As regards the electric and magnetic fields arising from the transmission overhead lines, the applicant should be warned of possible undue interface to some electronic equipment in the vicinity, if any; and
- (k) note C of P's comments that there should be no activities in any form, whatsoever associated with Parallel Trading/ General Merchandize Operations activities or illicit refueling activities or other illegal activities at the Site.

