

Previous s.16 Application covering the Application Site

Approved Applications

	Application No.	Proposed Use(s)/ Development(s)	Date of Consideration by RNTPC/TPB	Approval Condition(s)
1.	A/YL-PH/713	Private Club	27.3.2015 [for 2 years]	(1), (2), (3)

Approval Conditions:

- (1) Restriction on operation hour.
- (2) Submission and implementation of drainage proposal within the specified time limit.
- (3) If any of the planning conditions was not complied with during the planning approval period/by the specified date, the approval hereby given should cease to have effect and shall on the same date be revoked without further notice.

Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied used at the Site;
- (b) resolve any land issue relating to the development with other concerned owner(s) of the Site;
- (c) 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. Lot No. 316 S.B ss.2 S.A is covered by Short Term Waiver (STW) No. 4600 and Lot No. 316 S.B ss.3 is covered by STW No. 4601 to permit structures erected thereon for the purpose of "Private Club". The Site is accessible to Fan Kam Road via Government land (GL). His office provides no maintenance work for the GL involved and does not guarantee any right-of-way. The Site falls within Shek King 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 to regularize any irregularities (if any) on-site. Such application(s) 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 CHE/NTW, HyD's comments that the applicant should be responsible for his own access arrangement. HyD is not and shall not be responsible for the maintenance of the existing vehicular access connecting the Site and Fan Kam Road. Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (e) to note CHE/W, HyD's comments that part of the Site might be acquired for the 'Improvement to Fan Kam Road' Project at any time before the expiry of the temporary planning permission with an advance notification in compliance with the relevant statutory requirements;
- (f) 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;
- (g) note DAFC's comments that the applicant should adopt appropriate measures to avoid disturbance and pollution to the watercourse immediate adjacent to the Site during operation;
- (h) note D of FS' comments that detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans;
- (i) note CE/C, WSD's comments that existing water mains will be affected. A Waterworks Reserve within 1.5 metres from the centreline of the water mains shown in **Plan A-2** of this

RNTPC paper shall be provided to WSD. No structure shall be erected over this Waterworks Reserve and such area shall not be used for storage or car-parking purpose. The Water Authority and his officer and contractors, his or their workmen shall have free access at all times to the said area with necessary plant and vehicles for the purpose of construction, inspection, operation, maintenance and repair works. All other services across, through or under the Waterworks Reserve are required to seek authorization from the Water Authority. No trees 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 this RNTPC paper. The developer shall bear the cost of any necessary diversion works affected by the proposed development. 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;

- (j) note CBS/NTW, BD's comments that if the existing structures are erected on leased land without approval of BD (not being a New Territories Exempted House), they are unauthorized under the BO and should not be designated for any use under application. 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 from the BD should be obtained. Otherwise, they are unauthorized building works (UBW). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO. In this connection, 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. 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. 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. If the use under application is subject to the issue of a licence, the applicant should be reminded that any existing structure on the site are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority; and
- (k) note DEMS' comments that in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable or overhead line under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the 'Code of Practice on Working near Electricity Supply Lines' established under the Regulation when carrying out works in the vicinity of the electricity supply lines.