

Similar Applications within the same “V” zone on the Pat Heung OZP

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Condition (s)</u>
1.	A/YL-PH/35	Public Car Park	12.1.1996 (for 1 year)	(3), (4), (5), (6)
2.	A/YL-PH/78	Public Car Park	28.2.1997 (for 5 years)	(1), (5), (6)
3.	A/YL-PH/88	Proposed Public Car/Lorry Park	16.5.1997 (for 3 years)	(1), (5), (6), (7)
4.	A/YL-PH/149	Proposed Public Car Park for a Period of 12 Months	5.12.1997 (for 1 year)	(1), (2), (4), (5), (6), (7)
5.	A/YL-PH/746	Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years	12.5.2017	(1), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15)

Approval conditions

- (1) No vehicle without valid licences issued under the Traffic Regulations would be allowed
- (2) No lorry/container vehicle would be allowed/only private cars area allowed
- (3) Paving of the site
- (4) Provision of vehicular access arrangement/ provision of run-in/out of 7m wide
- (5) Submission and implementation of landscaping proposals
- (6) Submission of a drainage impact assessment and implementation of flood mitigation measures/provision /maintenance of drainage facilities
- (7) Reinstatement of the site to an amenity area
- (8) No medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period
- (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, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period
- (10) No vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period
- (11) No dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the planning approval period
- (12) Provision of fencing
- (13) Submission and implementation of drainage proposal
- (14) Implementation of the accepted fire service installations proposal
- (15) Revocation of the planning approval if any of the planning conditions is not complied with by the specified dated or during the planning approval period

Advisory Clauses

- (a) resolve any land issues relating to the development with the concerned owners of the Site;
- (b) note DLO/YL, LandsD's comments that the Site comprises an Old Scheduled 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. No permission is given for occupation of Government Land (GL) (about 213m² subject to verification) included in the Site. Any occupation of GL without Government's prior approval is not allowed. The Site is accessible to Kam Tin Road via GL and private land. His office provides no maintenance work for the GL involved and does not guarantee any right-of-way 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 lot owner(s) will need to apply to his office to permit the structures to be erected or regularize any irregularities on site. Furthermore, the applicant has to either exclude the GL portion from the Site or apply for a formal approval prior to the actual occupation of GL portion. Such application(s) will be considered by LandsD acting in the capacity as landlord or lessor at its sole discretion and there is no guarantee that such application 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 Site is connected to the public road network via a section of a local access road which is not managed by Transport Department. The land status of the local access road should be checked 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 his offices is not and shall not be responsible for the maintenance of any existing vehicular 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 Open Storage and Temporary Uses" issued by the DEP;
- (f) note DAFC's comments that the applicant is advised to avoid polluted discharge to the watercourse near the Site as shown on **Plan A-2** of the RNTPC paper;
- (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 approval of his department, they are unauthorized under the BO and should not be designated for any approved 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 (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;
- (h) note D of FS's comments that the 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 plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSIs 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 (BO) (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;
- (i) note DEMS's 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; and
- (j) note CE/C, WSD's comments that the existing 10m waterworks reserve will be affected as shown on **Plan A-2** of the RNTPC paper. No structure shall be erected over this waterworks reserve and such area shall not be used for storage purposes. The Water Authority and his officers 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 laying, repairing and maintenance of water mains. All other services across, through or under the waterworks reserve are required to seek authorization from the Water Authority. 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.