

Previous 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/575	Temporary Site Office with Ancillary Open Storage of Building Materials, Storage of Repairing Tools and Staff Car Park for a Period of 3 Years	12.1.2018 [revoked on 12.4.2020]	(1) to (9),
2	A/YL-KTN/604	Proposed Flat, Shop and Services, Eating Place, School, Social Welfare Facility, Public Transport Terminus or Station uses and Minor Relaxation of Plot Ratio and Building Height Restrictions	22.3.2019	(10) to (23)

Approval conditions

1. Restriction on operation hours/time
2. No medium to heavy goods vehicles including container trailers/tractors
3. No dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities
4. Submission and implementation of landscape proposal
5. Submission and implementation of drainage proposal
6. Provision of fire extinguisher/ submission and implementation of fire service installations (FSI) proposal
7. 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
8. Reinstatement of the site to an original state
9. No vehicle is allowed to queue back to or reverse onto/from public road
10. The submission and implementation of a revised Master Layout Plan
11. The submission of an implementation programme, with phasing proposals to tie in with the completion of both major infrastructural facilities serving the proposed development and the traffic improvement measures
12. The submission and implementation of a Landscape Master Plan
13. The submission of a consolidated traffic impact assessment
14. The design and implementation of road improvement works
15. The design and provision of vehicular access, and car parking and loading/ unloading facilities for the proposed development and public transport facilities
16. The submission of a sewerage impact assessment and implementation of the sewerage improvement measures
17. The submission of a water quality impact assessment prior to the commencement of construction works and implementation of the mitigation measures
18. The submission of a noise impact assessment and implementation of the mitigation measures
19. The submission of a land contamination assessment and implementation of the land contamination remediation measures identified therein prior to the commencement of construction works

20. The submission of a proposal to mitigate ecological impacts and the implementation of the mitigation measures
21. The design and provision of water supply for fire fighting and fire service installations
22. The design and provision of a Day Care Centre for the Elderly
23. The submission and implementation of site formation proposals for a primary school

Good Practice Guidelines for Open Storage Sites

		Internal access for fire appliances	Lot boundaries (clear width)	Distance between storage cluster and temporary structure	Cluster size	Storage height
1.	Open Storage of Containers		2m	4.5m		
2.	Open Storage of non-combustibles or limited combustibles	4.5m	2m	4.5m		
3.	Open Storage of combustibles	4.5m	2m	4.5m	40m x 40m	3m

Remarks: Smoking and naked flame activities shall not be allowed within the open storage/recycling site.

Advisory Clauses

- (a) should the applicant fail to comply with the approval conditions again resulting in revocation of the planning permission, sympathetic consideration may not be given by the Committee to any further application;
- (b) 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. The lots owner will need to apply to his office to permit the structures to be erected or regularize any irregularities 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. Applications for any of the above 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 rent or fee, as may be imposed by 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 department shall not be responsible for the maintenance of any access road connecting the Site and Castle Peak Road – Tam Mi/San Tam Road. Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (e) note CE/MN, DSD's comments that the applicant should consider connecting the discharge outlet point to catchpit no. SCH 1028778 such that construction of outlet pipe length can be reduced. However, in such case, checking on the discharge condition of outlet pipe DN600 of such catchpit is needed;
- (f) adopt 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 to minimize any potential environmental nuisances;
- (g) note D of FS's comments that in consideration of the design/nature of the proposal, fire service installations (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. Besides,

the applicant should observe the good practice guidelines for open storage site in **Appendix III** of this RNTPC paper. To address the approval condition on provision of fire extinguisher(s), the applicant should submit a valid fire certificate (FS251) to his department for approval. 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; and

- (h) note CBS/NTW, BD's comments that if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the BA, they are unauthorized building works (UBW) under the Buildings Ordinance (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 the prevailing 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. Before any new building works (including containers/ open sheds as temporary buildings, demolition and land filling) are to be carried out on the Site, prior approval and consent of the BA should be obtained, otherwise they are UBW. An Authorized Person should be appointed as the co-ordinator 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. The Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage.