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收件者: tpbpd
主旨: A/HSK/259 DD 124 San Lee Uk Tsuen OS

J-1

A/HSK/259
Lot 1169 RP in D.D.124, San Lee Uk Tsuen, Ha Tsuen
Site area :About 115sq.m
Zoning : "Open Space" and area shown as 'Road'
Applied use : Services Vehicle Decoration / 2 Vehicle Parking

Dear TPB Members,

No history of previous applications or approval even though it is clear that this is an existing browfield operation. Therefore no justification for approval. There are many vehicle parking and storage facilities in the area that could accommodate this small operation.

PlanD has justified previous approvals of this nature on the basis that "Whilst the applied use was not in line with the planning intentions of the "Open Space" zones, the implementation programme for this part of the Hung Shui Kiu New Development Area (HSK NDA) was still being formulated"

But this is no longer the case as Phase 1 of the HSKNDA has now commenced. The site is zoned to provide community facilities that should be in place before families move into the new PH estates.

PlanD can play Mr. Nice Guy but it is the duty of TPB members to consider the need to expedite the development of the much delayed HSK new town. Operations like this must find a new home.

Mary Mulvihill

Advisory Clauses

- (a) to note that the Site might be resumed at any time during the planning approval period for implementation of government projects;
- (b) to resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (c) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) 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. The lot owner(s) of the lot(s) without Short Term Waiver (STW) will need to apply to his office for permitting the structures to be erected or regularize any irregularities on the 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. Application(s) for any of the above will be considered by 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 rent or fee, as may be imposed by LandsD;
- (d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads/drains. HyD shall not be responsible for the maintenance of any access connecting the Site and Tin Ha Road;
- (e) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that 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 Building Authority (BA) should be obtained, otherwise they are Unauthorized Building Works (UBW) under the Buildings Ordinance (BO). An Authorised Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO. 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. 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; and detailed checking under BO will be carried out at building plan submission stage;
- (f) to note the comments of the Director of Fire Services (D of FS) that the applicant is advised to submit relevant layout plans incorporated with the proposed fire services installations (FSIs) to him 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 are 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 Building Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;

- (g) to follow 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 the Environmental Protection Department; and
- (h) to note the comments of the Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD) that the lot concerned falls within a site under Remaining Phase development in the latest programme of Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA). While the detailed implementation programme for the project is still being formulated, it is envisaged that the site formation and engineering infrastructure works for the Remaining Phase development will commence in 2030.