

Similar Application within the Same “V” Zone on Kam Tin North Outline Zoning Plan

Approved Application

	<u>Application No.</u>	<u>Proposed Use</u>	<u>Date of Consideration by RNTPC</u>	<u>Approval Conditions</u>
1	A/YL-KTN/584	Proposed Temporary Public Car Park (Excluding Container Vehicle) for a Period of 5 Years	9.2.2018 [revoked on 19.7.2018]	(1), (2), (3), (4), (5), (6), (7), (8), (9), (10)

Approval conditions

- (1) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the site
- (2) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the Site
- (3) no vehicles without valid licences issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the site
- (4) 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
- (5) No vehicle is allowed to queue back to or reverse onto/from public road
- (6) Submission and implementation of landscape proposal
- (7) Submission and implementation of drainage facilities
- (8) Submission and provision of fire service installations proposal
- (9) Reinstatement of the site to an amenity area
- (10) Revocation of planning conditions if the planning conditions are not complied with during the approval period or by specified date

Advisory clauses

- (a) resolve any land issues relating to the development with the concerned owners of the Site and land in the vicinity;
- (b) prior planning permission should have been obtained before commencing the development;
- (c) note DLO/YL, LandsD's comments the Site comprises Old Scheduled 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 Site is accessible to Kong Tai Road via Government Land (GL). His office provides no maintenance works for the GL involved and does not guarantee right-of-way over the GL 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. 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;
- (d) note C for T's comments that Site is connected to the public road network via a local access road which is not managed by TD. 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;
- (e) note CHE/NTW, HyD's comments that HyD s does not and will not maintain any access connecting the Site and Chi Ho Road/Kong Tai Road. Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (f) adopt 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 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 the Waterworks Reserve. Free access shall be made available at all times of staff of the Director of Water Supplies or their contactor to carry out construction,

- inspection, operation, maintenance and repair works. 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 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 an in close vicinity of the Site;
- (h) 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. 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 according to the applicant, the typical height of a lorry is 2.2m to 3m. For the sake of electrical safety, only vehicle fulfilling such height requirement could enter the Site. 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 Hong Kong Planning Standards and Guidelines and ensure they shall be maintained at any time during and after construction. Warning notices indicating the presence of electricity overhead lines and height restriction of vehicle erected in the ingress/egress of the Site 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
- (j) note CBS/NTW, BD's comments that if the existing structures are erected on leased land without approval of the BD (not being New Territories Exempted Houses), they are unauthorized under the Buildings Ordinance (BO) and should not be designated for any use under the 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 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.

