

**Similar Applications within the same "V" zone of the Site
on Kam Tin North OZP**

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration By RNTPC/TPB</u>	<u>Approval Conditions</u>
1.	A/YL-KTN/96	Public Car Park	10.9.1999 [Approved for 3 years]	(1), (2), (5), (6), (9), (15)
2.	A/YL-KTN/293	Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 5 Years	18.4.2008 (Revoked on 18.10.2008)	(1), (2), (3), (4), (5), (6), (7), (8), (9)
3.	A/YL-KTN/335	Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 5 Years	20.11.2009	(1), (2) (3), (5), (6), (7), (8), (9), (10), (11)
4.	A/YL-KTN/348	Renewal of Planning Approval for Temporary "Public Vehicle Park (excluding container vehicle)" for a Period of 5 Years	12.11.2010	(1), (2), (3), (5), (6), (7), (8), (9), (10), (11)
5.	A/YL-KTN/426	Proposed Temporary Public Vehicle Park for Private Car and Ancillary Car Beauty Service for a Period of 3 Years	17.1.2014	(1), (2), (3), (5), (8), (9), (11), (12), (16)
6.	A/YL-KTN/439	Temporary Public Vehicle Park (excluding container vehicle) for a Period of 5 Years	4.4.2014 (Revoked on 4.7.2014)	(1), (2), (3), (6), (7), (8), (9), (11), (12), (13), (14)
7.	A/YL-KTN/485	Temporary Public Vehicle Park (excluding container vehicle) for a Period of 5 Years	6.11.2015	(1), (2), (3), (5), (6), (7), (8), (9), (10), (11), (12), (13)
8.	A/YL-KTN/600	Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 5 Years	1.6.2018	(1), (2), (3), (5), (6), (8), (9), (11), (12), (13)

Approval Conditions

- (1) No vehicles without valid licences issued under the Traffic Regulations were allowed to be parked on the site.
- (2) No medium or heavy goods vehicles (i.e. exceeding 5.5 tonnes) as defined in the Road Traffic Ordinance and container vehicles were allowed to be parked/stored on the site.
- (3) No car washing and vehicle repair workshop / No dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities were allowed on the site.
- (4) The setting back at the northeastern corner of the site to avoid the existing water mains to the satisfaction of the Director of Water Supplies or of the TPB.
- (5) Submission and implementation of landscape proposal / maintenance of landscape proposal or existing trees and landscape plantings.
- (6) Submission, implementation and maintenance of the drainage proposal / Submission of the record of the existing drainage facilities on the site / maintenance of implemented drainage facilities.
- (7) Provision of mitigation measures to minimize any possible nuisance of noise and artificial lighting on site to the residents nearby / Implemented mitigation measures shall be maintained.
- (8) Revocation of planning permission if planning conditions not complied with during the planning approval period/by the specified time limit.
- (9) Upon expiry of the planning permission, the reinstatement of the Site to an amenity area.
- (10) Provision / maintenance of boundary fencing.
- (11) Submission and implementation of fire service installations proposal.
- (12) A notice should be posted at the 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.
- (13) No vehicle is allowed to queue back to or reverse onto/from public road.
- (14) Implementation of tree preservation proposal.
- (15) Submission of car parking layout and provision of vehicle access arrangement.
- (16) Restriction on operation hours.

Advisory Clauses

- (a) prior planning permission should have been obtained before commencement of the development at the Site;
- (b) note DLO/YL, LandsD's comments that the Site comprises Lot No. 1435 held under Tai Po New Grant No. 4417 for agricultural purpose; Lot No. 1451 held under Tai Po New Grant No. 5654 for garden purpose; and Lot No. 554 S.A. and Lot No. 555 S.A ss.1 which are 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 lot owner(s) will need to apply to his office to waive the user restriction(s) as stipulated in the lease conditions to permit the structure(s) to be erected and/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 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 rent 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 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;
- (d) note CHE/NTW, HyD's comments that Kam Kong Road is not and shall not be maintained by HyD. HyD shall not be responsible for the maintenance of any access connecting the Site and Kam Tin Road. 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 Temporary Uses and Open Storage Sites" issued by the DEP;
- (f) note CBS/NTW, BD's comments 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 Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO. 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. 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 the Regulation 19(3) of the B(P)R at the building plan submission stage; and

- (g) note D of FS's comments that 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 FSI 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 BO (Cap.123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.