

Previous s.16 Applications Covering the Application Site

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s)</u>	<u>Date of Consideration (RNT0PC)</u>	<u>Approval Condition(s)</u>
1	A/YL-KTS/254	Proposed Extension of Yuen Kong School	3.8.2001	-
2	A/YL-KTS/564	Proposed Temporary Training Centre for Construction Industry for a Period of 3 Years	18.5.2012 [revoked on 18.11.2012]	(1), (2), (3), (4), (5), (6)
3	A/YL-KTS/595	Proposed Temporary Training Centre for Construction Industry for a Period of 3 Years	8.2.2013 [revoked on 8.11.2013]	(1), (2), (3), (4), (5), (6)
4	A/YL-KTS/629	Temporary Training Centre for Construction Industry for a Period of 3 Years	21.2.2014	(1), (2), (3), (5), (6),(7)
5	A/YL-KTS/723	Renewal of Planning Approval for Temporary Training Centre for Construction Industry for a Period of 3 Years	9.12.2016 [revoked on 22.5.2017]	(1), (2), (3), (4), (5), (6), (8), (9)
6.	A/YL-KTS/752	Renewal of Planning Approval for Temporary Training Centre for Construction Industry for a Period of 3 Years	22.12.2017	(1), (2), (3), (4), (5), (6), (8), (9)

Approval Conditions:

- (1) Restriction on operation hours / time
- (2) No noisy activities such as drilling or ground breaking
- (3) The submission and implementation of fire service installations proposal
- (4) The submission and implementation of tree preservation/landscape proposal
- (5) If the planning condition is not complied with at all time during the approval period or by a specified date, the approval shall cease to have effect and be revoked without further notice
- (6) Reinstatement of the site to an amenity area upon expiry of the planning permission
- (7) The existing trees and landscape plantings on the Site shall be maintained at all times during the planning approval period

- (8) Drainage facilities on the Site shall be maintained at all time during the planning approval period
- (9) The submission of a record of the existing drainage facilities on the Site

**Appendix IV of RNTPC
Paper No. A/YL-KTS/859**

Advisory clauses

- (a) note DLO/YL, LandsD's comments that the Site comprises Government land currently let to the Construction Industry Council by way of Short Term Tenancy (STT) No. 2588 for the operation of a temporary training centre for construction industry with ancillary office(s) for a term commencing from 2.7.2013 to 8.2.2016 and thereafter quarterly at nominal rent. According to the tenancy agreement of the STT, the tenancy conditions restrict, among other terms and conditions, the erection of 3 single-storey buildings with respective maximum heights not exceeding 5.63m, 5.71m and 3.96m above ground level and respective gross floor area not exceeding 216.46m², 232.25m² and 143.59m². The Tenant shall maintain the validity of the planning permission of the Site and in the event of any revocation or expiry or non-renewal of the planning permission, the Government shall be entitled to terminate the tenancy. It is noted that one of the single-storey building having an area of 148.73m² in the planning application exceeds the permissible gross floor area (i.e. 143.59m²) of the building under the tenancy conditions. Should the applicant intend to enlarge the area of that single-storey building based on the approved planning scheme, he has to apply to the LandsD for modification of the STT. However, there is no guarantee that the application will be approved. Such application will be dealt with by his department acting in the capacity of the landlord at his discretion, and if it is approved under such discretion, the approval would be subject to such terms and conditions including among others, the payment of rent and administrative fee as may be imposed by his department. The access to the Site requires traversing both private and Government land. His office does not guarantee any right of way to the Site;
- (b) note CHE/NTW, HyD's comments that HyD shall not be responsible for the maintenance of any access connecting the Site and Kam Sheung Road. Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (c) 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" to minimize any potential environmental nuisances;
- (d) note CTP/UD&L, PlanD's comments that approval of the planning application under the Town Planning Ordinance does not imply approval of tree preservation/ removal scheme under the Lease. The applicant should seek comments and approval from the relevant authority on the proposed tree works and compensatory planting proposal, where appropriate; and
- (e) note CBS/NTW, BD's comments that if any new building works are to be carried out on the Site after the granting of STT by the LandsD, the applicant should note that all existing building works erected on unleased government land (i.e. before the grant of a

STT) do not come under control of the BO, and are not unauthorized for the purpose of the BO. Before any new building works are to be carried out on the Site, the prior approval and consent of the BA should be obtained, otherwise, they are Unauthorized Building Works (UBW). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO. For UBW erected on land held under STT, enforcement action may be taken by the BA to effect the removal of the UBW in accordance with the policy for control of UBW in the future. All UBW have to be removed prior to renewal of a STT. The granting of the STT should not be construed as an acceptance of any existing building works or UBW on site under the BO. If the Site does not abut on a specified street having a width of not less than 4.5 wide, the development intensity shall be determined under the Building (Planning) Regulation (B(P)R) 19(3) at the building plan submission stage. Moreover, the Site shall be provided with means of obtaining access thereto from a street under the B(P)R 5 and emergency vehicular access shall be provided under the B(P)R 41D.