

**Similar Applications within the same and adjoining "V" Zone  
on the Kam Tin South OZP**

**Approved Applications**

	<b><u>Application No.</u></b>	<b><u>Proposed Use</u></b>	<b><u>Date of Consideration (RNTPC/TPB)</u></b>	<b><u>Approval Conditions</u></b>
1.	A/YL-KTS/502	Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	10.9.2010	1, 4, 6, 7, 9
2.	A/YL-KTS/582	Proposed Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	19.10.2012	1, 3, 4, 6, 7, 8, 9
3.	A/YL-KTS/648	Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	17.10.2014 [revoked on 17.10.2015]	1, 2, 3, 4, 6, 7, 9
4.	A/YL-KTS/676	Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	18.9.2015	1, 3, 4, 6, 7, 8, 9
5.	A/YL-KTS/758	Proposed Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	22.12.2017	1, 5, 7, 8, 9
6.	A/YL-KTS/782	Proposed Temporary Shop and Services (Martial Art Goods Retail Store) for a Period of 3 Years	18.5.2018	1, 5, 7, 8, 9
7.	A/YL-KTS/795	Renewal of Planning Approval for Temporary "Shop and Services (Real Estate Agency)" for a Period of 3 Years	21.9.2018	1, 3, 4, 7, 8, 9,10

	<u>Application No.</u>	<u>Proposed Use</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Conditions</u>
8.	A/YL-KTS/799	Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years	19.10.2018	1, 2, 4, 7, 8, 10

**Approval Conditions**

- (1) Restriction on operation hour
- (2) No medium or heavy goods vehicles exceeding 5.5 tonnes are allowed to be parked/stored on or enter/exit the site.
- (3) No queue back or reserving of vehicles into or out from the site
- (4) The existing drainage facilities on the site should be maintained at all times and the Submission of a record of the existing drainage facilities
- (5) Submission, implementation and maintenance of drainage facilities
- (6) Submission and implementation of landscaping/tree preservation proposal
- (7) Submission and provision of fire service installations proposal
- (8) Revocation of planning approval if approved condition is not complied with by the specified date/ during the planning approval
- (9) Reinstatement of the site upon expiry of planning permission
- (10) The existing trees/landscape shall be maintained at all times

**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 Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contain 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 permit the structure(s) 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 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 Transport Department. The land status of the local access road should be checked with the Lands Department. 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 adequate measures should be provided to prevent surface water running from the Site to the nearby public roads and drains. HyD shall not be responsible for the maintenance of any access connecting the Site and Kam Sheung Road;
- (e) note CE/RD2-2, RDO of HyD's comments that the Site falls within the area of influence ("AOI") for the proposed Northern Link (NOL). Those areas within the AOI may be required to be vacated at the time for the construction of the NOL and subject to nuisance, such as noise and vibration of the proposed NOL. The applicant should be satisfied with the surrounding condition of nuisance taking into account the future construction, operation and maintenance of NOL;
- (f) 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 Environmental Protection Department to minimize any potential environmental nuisances;
- (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 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;

- (h) note CBS/NTW, BD's comments that before any new building works (including containers/open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on Site, prior approval and consent of the Building Authority 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) Regulation respectively. The Site does not abut on a specified street of not less than 4.5 m wide, its permitted development intensity shall be determined under Regulation 19(3) of the Building (Planning) Regulation at the building plan submission stage. Any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings are subject to the control of Part VII of the Building (Planning) Regulation. Detailed checking under BO will be carried out at building plan submission stage; and
- (i) note DFEH's comments that for any waste generated from the such activities or operations, the applicant should arrange disposal properly at her own expenses. Such work and operation shall not cause any environmental nuisance, pest infestation and obstruction to the surrounding.