

**Appendix II of
RNTPC Paper No. A/YL-KTS/807A**

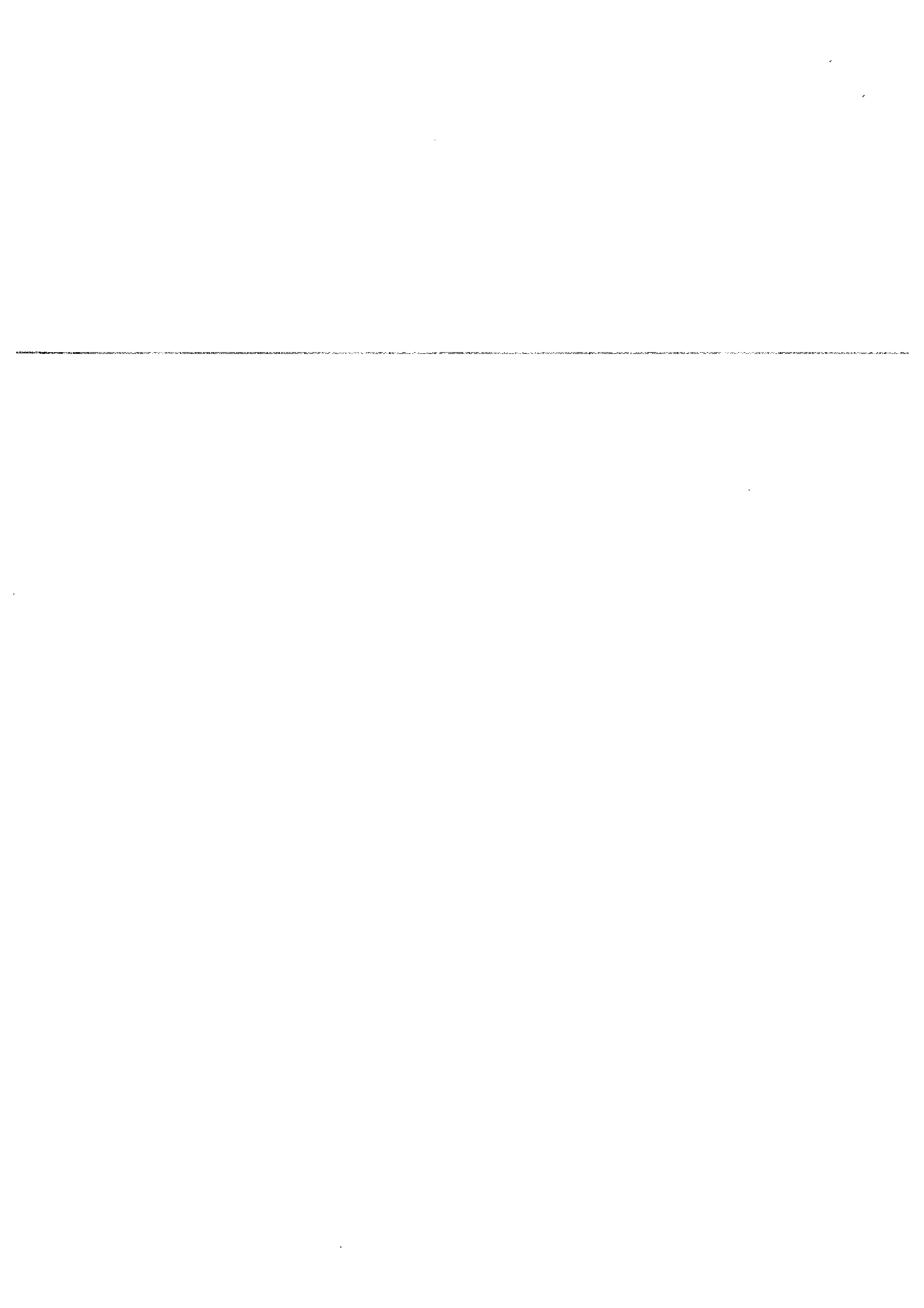
Previous Applications covering the application site

Approved Applications

	Application No.	Proposed Use(s)	Date of Consideration (RNTPC/TPB)	Approval Conditions
1	A/YL-KTS/480	Proposed Animal Boarding Establishment	18.12.2009 (approved for 3 years) (revoked on 18.12.2010)	(1), (4), (5), (6), (7), (8)
2	A/YL-KTS/532	Temporary Animal Boarding Establishment for a Period of 3 years	15.4.2011	(1), (4), (5), (6), (7), (8)
3	A/YL-KTS/633	Renewal of Planning Approval for Temporary Animal Boarding Establishment for a Period of 3 years	21.3.2014	(1), (2), (3), (6), (7), (8)

Approval Conditions

1. Installation/maintenance of sound-insulating materials and double-glazing windows
2. Maintenance of existing trees and landscape planting on the application site.
3. Maintenance of existing drainage on site and submission of drainage record of existing facilities.
4. Submission and/or implementation of the landscape and/ or tree preservation proposals
5. Submission of drainage proposal and implementation of drainage facilities.
6. Submission and implementation of fire service installations (FSIs) proposal.
7. Revocation of planning approval if conditions not complied with by a given date/at any time during the approval period
8. Reinstatement of the site to an amenity area upon expiry of the planning permission.



**Appendix III of
RNTPC Paper No. A/YL-KTS/807A**

Similar Applications in the Same “AGR” Zone on the OZP

Approved Applications

	Application No.	Proposed Use(s)	Date of Consideration (RNTPC/TPB)	Approval Conditions
1	A/YL-KTS/780	Proposed Temporary Animal Boarding Establishment for a Period of 3 years	4.5.2018	(1), (2), (4), (5), (6), (7), (8), (9), (10)
2	A/YL-KTS/789	Proposed Temporary Animal Boarding Establishment for a Period of 3 years	2.11.2018	(1), (2), (3), (4), (5), (6), (7), (8), (9), (10)

Approval Conditions

1. Submission and/or implementation of the landscape and/ or tree preservation proposals.
2. Submission of drainage proposal and implementation of drainage facilities.
3. Maintenance of the implemented drainage facilities at all times during the planning approval period.
4. Submission and implementation of fire service installations (FSIs) proposal.
5. Revocation of planning approval if conditions not complied with by a given date/at any time during the approval period.
6. Reinstatement of the site to an amenity area upon expiry of the planning permission.
7. Restriction on operation hours
8. All animals shall be kept inside the enclosed structures
9. No public announcement system and whistle blowing, as proposed by the applicant, is allowed to be used in the site during the planning approval period
10. No vehicle is allowed to be queen back to or reverse onto/from public road at any time during the planning permission

Detailed Departmental Comment from CTP/UD&L, PlanD

- (a) The applicant is recommended to step up tree maintenance works to improve health condition of *Litchi chinensis* at northeastern center of the Site.
- (b) Please also make reference to the following promulgated by GLTM Section of DEVB, for good horticultural practice:

減低樹木風險的樹木護養簡易圖解

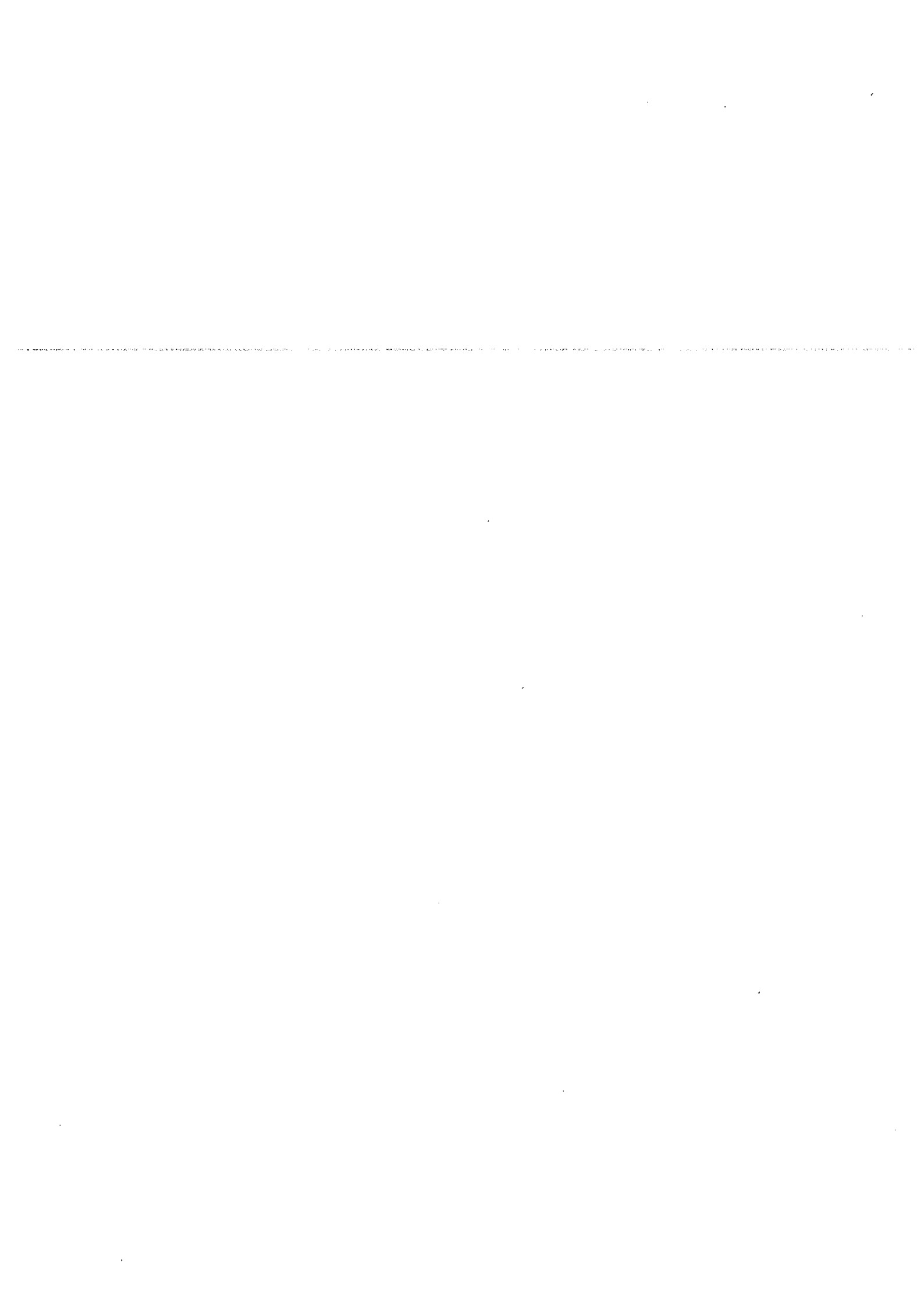
[https://www.greening.gov.hk/filemanager/content/pdf/tree_care/PictorialGuideForTreeMaintenanceToReduceTreeRisk\(eng\).pdf](https://www.greening.gov.hk/filemanager/content/pdf/tree_care/PictorialGuideForTreeMaintenanceToReduceTreeRisk(eng).pdf)

樹木管理手冊

https://www.greening.gov.hk/filemanager/content/pdf/tree_care/handbook_TM/HTM_to_Full_version.pdf

護養樹木的簡易圖解

https://www.greening.gov.hk/filemanager/content/pdf/tree_care/Pictorial_Guide_for_Tree_Maintenance.pdf



Advisory clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the Site;
- (b) note DLO/YL, LandsD's comments 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 Site is accessible from Kam Sheung Road via Government Land (GL) and private land. His office provides no maintenance work for the GL involved and does not guarantee any 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 structures 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, if any. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. No construction of New Territories Excepted Building(s) will be considered or allowed. Applications for any of the above 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 LandsD;
- (c) note C for T's comment that the local access between Kam Sheung Road and the Site entrance is not managed by his department;
- (d) note CHE/NTW, HyD's comments that his department does not and will not maintain any access connecting the Site and Kam Sheung Road, Kam Shui South Road or Kam Shui Road. The applicant should be responsible for his own access arrangement. Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (e) note DAFC's comment that depending on the nature(s) of the business to be carried out on the Site, the applicant may also be required to apply for a Boarding Establishment License from his department. The applicant should be advised to apply for relevant license(s) from his department;
- (f) note DEP's comments that the applicant is advised to properly design and maintain the facilities and 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 nuisance. Suitable mitigation measures should also be implemented to minimize potential odour impact. Effluent discharges from the applied use are subject to control under the Water Pollution Control Ordinance (WPCO). A discharge license under the WPCO shall be

obtained before a new discharge is commenced. For the septic tank and soakaway system, its design and construction should follow the requirements of the Practice Note for Professional Person (ProPECC) PN 5/93 "Drainage Plans subject to Comment by the Environmental Protection Department";

- (g) note DEFH's comments that no FEHD's facilities will be affected and such activity and operation shall not cause any environmental nuisance, pest infestation and obstruction to the surrounding. The applicant should arrange disposal properly at her own expenses for any waste generated from such activity/operation. Proper licence / permit issued by FEHD is required if there is any catering service / activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public;
- (h) 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 plan 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 Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;
- (i) note DEMS's comments that in the public interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable or overhead line under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within .and/or in the vicinity of the Site. The applicant should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the "Code of Practice on Working near Electricity Supply Lines" established under the Regulation when carrying out works in the vicinity of the electricity supply lines;
- (j) note CBS/NTW, BD's comment that if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of BD, they are unauthorized building works (UBW) under the BO and should not be designated for any proposed use under the application. For UBW erected on leased land, enforcement action may be taken by the 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. Before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Site, prior approval and consent of the BD should be obtained. Otherwise, they are Unauthorized Building Works (UBW). An Authorized Person (AP) 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 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 Building (Planning) Regulation at the building plan submission stage; and

- (k) note CTP/UD&L of PlanD's comment that the applicant is recommended to step up tree maintenance works to improve health condition of *Litchi chinensis* at northeastern center of the Site. Reference should be made to the following promulgated by GLTM Section of DEVB, for good horticultural practice:

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樹木管理手冊

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