

Previous s.16 Applications covering the Application Site

Approved Applications

<u>No.</u>	<u>Application No.</u>	<u>Proposed Uses</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Conditions</u>
1.	A/YL-NTM/213	Proposed Temporary Private Swimming Pool for a Period of 3 Years [revoked on 13.3.2010]	13.7.2007 Approved by RNTPC (3 Years)	1, 2, 3 & 4
2.	A/YL-NTM/246	Renewal of Planning Approval for Temporary Private Swimming Pool for a Period of 3 Years	19.3.2010 Approved by RNTPC (3 Years)	1, 4, 5 & 6
3.	A/YL-NTM/286	Renewal of Planning Approval for Temporary Private Swimming Pool for a Period of 3 Years	15.3.2013 Approved by RNTPC (3 Years)	1, 4, 7 & 8
4.	A/YL-NTM/332	Renewal of Planning Approval for Temporary Private Swimming Pool for a Period of 3 Years	4.3.2016 Approved by RNTPC (3 Years)	1, 2, 4 & 7

Approval Conditions

- (1) The proposed swimming pool should not be open to members of the public.
- (2) The submission and implementation of a tree preservation and/or landscape proposals.
- (3) The submission of drainage proposal and the provision of drainage facilities
- (4) Upon expiry of the planning permission, the reinstatement of the application site to an amenity area.
- (5) The implementation of approved landscape proposals.
- (6) The provision of the approved drainage facilities.
- (7) The maintenance of the implemented drainage facilities and/or the submission of a condition record of the existing drainage facilities.
- (8) The existing trees within the site should be maintained at all times.

**Recommended Advisory Clauses**

- (a) to resolve any land issues related to the development with the concerned owner(s) of the Site;
- (b) to note DLO/YL, LandsD's comments that the STW holder will need to apply to LandsD for modification of the STW conditions where appropriate. 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 Exempted Building(s) will be considered or allowed. Application(s) for any of the above will be considered by LandsD acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such application will be approved. If such application 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) to note CHE/NTW, HyD's comments that HyD does not and will not maintain any access connecting the Site and San Tam 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;
- (d) to note DEP's comments that the applicant shall observe the requirements under the Water Pollution Control Ordinance if there is any effluent discharge from the proposed use;
- (e) to note CBS/NTW, BD's comments that before any new building works are to be carried out on Site, prior approval and consent of BD should be obtained, otherwise they are unauthorized building works (UBW) under the 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 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; and
- (f) to note DFEH's comments that if any Food and Environmental Hygiene Department (FEHD)'s facility is affected by the development, FEHD's prior consent must be obtained. Re-provisioning of the affected facilities by the project proponent up to the satisfaction of FEHD may be required. The project proponent should provide sufficient amount of additional recurrent cost for management and maintenance of the re-provisioned facilities to FEHD. Proper license and/or permit issued by FEHD is required if there is any food business/catering service/activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and Places of Public Entertainment Ordinance (Cap. 172) and its subsidiary legislation and the operation of any business should not cause any obstruction to the public. If the proposal involves any commercial/trading activities, its operation should not as to be a nuisance or injurious or dangerous to health and surrounding environment. For any waste generated from the commercial/trading activities, the applicant should handle on their own/at their expenses.