

Previous Application

Approved Application

Application No.	Use / Development	Date of Consideration	Approval Conditions
A/NE-KTS/451	Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) with Ancillary Private Car Parking for a Period of 3 Years	8.9.2017	A1 to A9

Approval Conditions

- A1 No land filling is allowed on the Site during the planning approval period
- A2 No operation between 7:30 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the Site during the planning approval period
- A3 No vehicle is allowed to queue back to or reverse onto/from village track at any time during the planning approval period
- A4 No vehicle other than private car, as proposed by the applicant, is allowed to/from the Site at any time during the planning approval period
- A5 The submission and implementation of proposals of fire service installations and water supplies for fire fighting
- A6 The submission and implementation of drainage proposals
- A7 The submission and implementation of landscape proposals
- A8 Revocation clause
- A9 Reinstatement clause

Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the Site.
- (b) to note the comments of the District Lands Officer/North, Lands Department as follows:
 - (i) the lot is an Old Schedule lot held under the Block Government Lease (demised for agricultural use) without any guaranteed right of vehicular access. The applicant should make his own arrangement for acquiring access, and there is no guarantee that any adjoining Government land will be allowed for the vehicular access of the Site;
 - (ii) the existing structures on the Site are not acceptable under the Lease concerned. His office reserves the right to take enforcement actions against the aforesaid structures;
 - (iii) the applicant should note that any proposed toilet facility should meet current health requirements;
 - (iv) it is noted that the vehicular access to the Site may route through various private lots and a Government land Licence No. T7375 (GLL). The applicant should seek consents to using the concerned lots and GLL for access purpose from the concerned owners and GLL holder; and
 - (v) the owner of the lot concerned shall apply to his office for a Short Term Waiver (STW) covering all the actual occupation area. The application for STW will be considered by Government in its landlord's capacity and there is no guarantee that it will be approved. If the STW is approved, its commencement date will be backdated to the first date of occupation and it will be subject to such terms and conditions to be imposed including payment of waiver fee and administrative fee as considered appropriate by his office.
- (c) to note the comments of the Director of Environmental Protection as follows:
 - (i) the applicant is reminded to minimise any noise from the applied use such as prohibiting the use of portable loudspeakers or any form of audio amplification system so that it would not cause adverse environmental nuisance to nearby sensitive receivers;
 - (ii) the applicant is advised to 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" (CoP) in order to minimise the potential environmental impacts on the adjacent area;
 - (iii) the applicant is advised to strictly observe all relevant pollution control ordinances, particularly on waste management and disposal, follow relevant measures given in his department's latest CoP, and put in place necessary precautionary/pollution control measures to prevent any pollution to the nearby sensitive receivers and stream courses as

a result of the operational and construction activities. Best management practice should be adopted to avoid refuse/waste water/sewage and other pollution from entering the surface runoff and the stream courses; and

- (iv) the applicant should provide his own effective sewage treatment and disposal measures to cater for any sewage arising from the operation of the development. If septic tank and soakaway system is proposed, its design and construction should follow the requirements of his department's Practice Note for Professional Person (ProPECC) PN 5/93 "Drainage Plans subject to Comment by the Environmental Protection Department".
- (d) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department as follows:
- (i) before any new building works are to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained unless they are exempted building works or commenced under the simplified requirement under the Minor Works Control System. Otherwise they are Unauthorized Buildings Works (UBWs). An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the Buildings Ordinance (BO);
 - (ii) for UBW erected on leased land, enforcement action may be taken by the BA to effect their removal in accordance with his department'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;
 - (iii) any temporary shelters or converted containers for storage or washroom or workshop or other uses are considered as temporary buildings are subject to the control of Part VII of the Building (Planning) Regulations;
 - (iv) the Site shall be provided with means of obtaining access thereto from a street under the Building (Planning) Regulation 5 and emergency vehicular access shall be provided under the Building (Planning) Regulation 41D;
 - (v) if the Site is not abutting on a specified street having a width not less than 4.5m, the development intensity shall be determined by the BA under the Building (Planning) Regulation 19(3) at the building plan submission stage; and
 - (vi) formal submission under the BO is required for any proposed new works, including any temporary structures. Detailed comments under the BO will be provided at the building plan submission stage.
- (e) to note the comments of the Director of Fire Services as follows:
- (i) 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; and
 - (ii) for layout plans to be submitted to his department:

the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy, and the location of where the proposed fire service installations to be installed should be clearly marked on the layout plans.

- (f) to note the comments of the Chief Engineer/Construction, Water Supplies Department that for provision of water supply to the development, the applicant may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to his department's standards.