

Detailed Comments of CTP/UD&L of PlanD

Comments of CTP/UD&L of PlanD on the submitted landscape proposal:

- (a) Chinese banyan tree is considered as a large spreading tree when mature. Considering that the available planting space within the Site is limited, the applicant should consider to plant small size or columnar trees such *Bauhinia blakeana* 洋紫荊 or *Garcinia subelliptica* 福木.
- (b) According to the landscape proposal, the proposed tree location is in direct conflict with the proposed parking space and too close to the temporary structures. For sustainable tree growth, the proposed tree should have a min. 3m distance from the structure and min. 600mm from the boundary fence. The applicant should revise the tree planting location accordingly.
- (c) For temporary site which is smaller than 1ha, a min. 2m wide planting area should be provided along the site boundary with public frontage, i.e. site boundary adjoining to Kam Sheung Road, for screen trees and shrubs planting. If the security fence has not yet installed, the planting area should be outside the fence to maximize the benefit of planting.
- (d) The applicant should clarify whether the proposed trees are planted at-grade. Tree pit of min. 1m x 1m should be provided for at-grade tree planting with a soil depth of 1.2m and free of utilities.
- (e) For trees to be planted along vehicular access within the Site, a fence/kerb/bollard at a min. distance of 1m from the tree trunk should be provided between the tree and vehicle to guard against potential physical damages to the trees arising from vehicular movement.

Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the Site;
- (b) the permission is given to the development under application. It does not condone any other development which currently exists on the Site but not covered by the application. The applicant should be requested to take immediate action to discontinue such development not covered by the permission;
- (c) note DLO/YL of 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 created without the prior approval of the Government. The Site is accessible to Kam Sheung Road via Government Land (GL) and private land and his office provides no maintenance work for the GL involved and does not guarantee any right-of-way. The Site falls within Shek Kong Airfield Height Restriction Area (SKAHRA). The height of the proposed structure 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 regularise any irregularities on site. Such application(s) will be considered by LandsD acting in the capacity of the landlord 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 premium or fee, as maybe imposed by LandsD;
- (d) 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 LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly;
- (e) note CHE/NTW of HyD's comments that his office is not and shall not be responsible for the maintenance of the existing vehicular 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;
- (f) adopt environmental mitigation measures as set out in the "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" issued by DEP to minimise any potential environmental nuisances;
- (g) note CTP/UD&L of PlanD's comments at **Appendix II** of this RNTPC paper;
- (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 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;

- (i) note CBS/NTW of BD's comments that if the existing structures (not being a New Territories Exempted House) are erected on leased land without approval of BD, they are unauthorized building works (UBW) under the Buildings Ordinance (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 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 and land filling) are to be carried out on the Site, prior approval and consent of BD should be obtained, otherwise they are UBW. An Authorized Person should be appointed as the co-ordinator 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 (B(P)R) 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 B(P)R at the building plan submission stage;
- (j) note CE/C of WSD's comments that the existing water mains will be affected (**Plan A-2** of this RNTPC paper). A Waterworks Reserve within 1.5m from the centreline of the water mains shall be provided to WSD. No structure shall be erected over this Waterworks Reserve and such area shall not be used for storage or car-parking purpose. The Water Authority and his officers and contractors, his or their workmen shall have free access at all times to the Site with necessary plant and vehicles for the purpose of construction, inspection, operation, maintenance and repair works and all other services across, through or under it which the Water Authority may require or authorise. No tree or shrub with penetrating roots may be planted within the Waterworks Reserve or in the vicinity of the water main. The developer shall bear the cost of any necessary diversion works affected by the proposed development. Government shall not be liable to any damage whatsoever and howsoever caused arising from burst or leakage of the public water mains within and in close vicinity of the Site; and
- (k) note DEMS's comments that in the 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. They 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.