

Similar Applications within the same “AGR” zone on the Pat Heung OZP

Approved Applications

No.	Application No.	Proposed Use(s)/Development(s)	Date of Consideration by RNTPC/TPB	Approval Conditions
1	A/YL-PH/754	Proposed Temporary Shop and Services (Motor-vehicle showroom) for a Period of 3 Years	22.9.2017	(1), (2), (3), (4), (5), (6), (7), (8), (9), (10)
2	A/YL-PH/766	Proposed Temporary Shop and Services (Sales of Vehicle Parts) for a Period of 3 Years	2.3.2018	(1), (2), (3), (4), (5), (6), (7), (8), (9), (10)

Approval Conditions

- (1) Restriction on operation hours
- (2) No dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out
- (3) No medium and heavy goods vehicles exceeding 5.5 tonnes allowed
- (4) The existing boundary fencing shall be maintained
- (5) No vehicle is allowed to queue back to or reverse onto / from public road at any time
- (6) Submission / implementation of drainage proposal
- (7) Submission / implementation of landscape / tree preservation proposal
- (8) Submission / implementation of fire service installations proposal
- (9) Revocation of planning approval if any of the planning condition is not complied with during the planning approval period / by the specified date
- (10) Reinstatement of the site to an amenity area

Advisory Clauses

- (a) 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 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;
- (b) 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 TD. 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;
- (c) note CHE/NTW, HyD's comments that HyD shall not be responsible for the maintenance of any access connecting the Site and the part of Kam Tai Road maintained by his office. Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (d) follow 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 DEP;
- (e) 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 FSI to be installed should be clearly marked on the layout plans. 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; and
- (f) note CBS/NTW, BD's comments that if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the Building Authority (BA), they are unauthorised 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 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. Before any new building works (including containers/open sheds as temporary buildings, demolition and land filling) are to be carried out on the Site, prior approval and consent of the BA 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. The Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage.