

**Similar s.16 Application for the same use in the vicinity of the Site
and within the same “V” zone on the Lam Tsuen Outline Zoning Plan**

Approved Application

Application No.	Proposed Development	Date of Consideration	Approval Conditions
A/NE-LT/628	Temporary Private Car Park (Private Cars and Light Goods Vehicles) for a Period of Three Years	2.3.2018	A1 – A8

Approval Conditions

- A1. No medium or heavy goods vehicles exceeding 5.5 tonnes including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the Site at any time during the planning approval period.
- A2. No reversing of vehicles into or out from the Site is allowed at any time during the planning approval period.
- A3. The preventive measures against water pollution to the upper indirect water gathering ground should be properly maintained at all times during planning approval period.
- A4. The development should not cause any water pollution to the upper indirect water gathering ground at any time during the planning approval period.
- A5. The provision of boundary fencing on the Site.
- A6. The submission of drainage proposal.
- A7. The implementation of drainage proposal.
- A8. Upon expiry of the planning permission, the reinstatement of the Site to an amenity area.

Rejected Application

Nil

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that:
- (i) no structure shall be erected on the aforesaid lots without prior approval from LandsD;
 - (ii) the applicant should submit an application for short term waiver (STW) to LandsD should he wish to erect any structure on the Site. However, there is no guarantee at this stage that the STW application would be approved. If the STW application is approved by LandsD acting in the capacity as landlord at its sole discretion, such approval will be subject to such terms and conditions as may be imposed by LandsD including the payment of waiver fee and administrative fees as considered appropriate; and
 - (iii) there is no guarantee to the grant of a right of way to the Site or approval of the emergency vehicular access thereto;
- (b) to note the comments of the Commissioner for Transport (C for T) that:
- (i) the existing village access connecting the Site is not under Transport Department's management. The land status, management and maintenance responsibilities of the village access should be clarified with the relevant lands and maintenance authorities accordingly in order to avoid potential land disputes; and
 - (ii) the applicant should note that sufficient space within the Site should be provided for manoeuvring of vehicles;
- (c) to note the comments of the Director of Environmental Protection (DEP) that the applicant should 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" issued by the Environmental Protection Department;
- (d) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
- (i) the Site is within an area where connections to existing public stormwater drainage is available in the vicinity. The Site should have its own stormwater collection and discharge systems to cater for the runoff generated within the Site and overland flow from other areas surrounding the Site. The Site is located on the unpaved ground, and the proposal will increase the impervious area, resulting in a change of the flow pattern and an increase of the surface runoff and thus the flooding risk in the area. The applicant should take this into account when preparing the drainage proposal. The applicant/owner is also required to maintain such systems properly and rectify the systems if they are found to be inadequate or ineffective during operation. The

applicant/owner shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems;

- (ii) the applicant should design the drainage proposal based on the actual site condition for DSD's comment/agreement. DSD would not assist the lot owner/developer to complete his drainage proposal. In the design, the applicant should consider the workability, the impact to the surrounding environment and seek comments from other concerned parties/departments if necessary. The applicant should make sure no adverse impact will be caused to the area due to the proposed works. The existing natural streams, village drains, ditches and the adjacent areas should not be adversely affected;
 - (iii) should the applicant choose to connect his proposed sewerage system to DSD's network, he shall furnish DSD with the connection proposed for agreement. After obtaining DSD's agreement, the applicant shall submit a duly completed Form HBP1 with a cross cheque covering the technical audit fee and a plan showing the details of the proposed connection works to DSD for formal application for the required connection. Upon DSD's acceptance of the connection application, the applicant shall carry out the proposed connection works in accordance with DSD Standard Drawings at the resources of the applicant. The connection pipe outside the lot boundaries shall be handed over to DSD for maintenance after satisfactory technical audit by DSD. In addition, to ensure the sustainability of the public sewerage network, the applicant/owner is required to demonstrate to the satisfaction of DSD in such manner that the runoff within the Site will be served by a designated stormwater collection and discharge system and shall not be drained to the public sewerage network and the applicant/owner will be required to submit details of the proposed connection works and concurrently provide further information on the runoff collection and discharge system; and
 - (iv) the applicant should rectify/modify the drainage/sewerage systems if they are found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify Government against claims and demands arising out of damage or nuisance caused by failure of the system;
- (e) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):
- (i) all solid waste and sludge arising from the operation of the proposed development shall be disposed of properly outside the Site and the WGG. No chemicals including laticidal oil, rodenticide and fertilizers shall be used without prior approval from the Water Authority. The use and storage of pesticides, toxicants, flammable solvents, tar and petroleum oil are strictly prohibited within the WGG. Besides, oil and grease decontamination kit such as absorbent pads shall be made available by the vehicle park owner to decontaminate any possible oil leakage or spillage ; and
 - (ii) no discharge of effluent or foul water into adjoining land, stormwater drain, channel, stream or river course is allowed. In case of any foul water or runoff from the Site, it shall be diverted properly to the communal sewer system

with prior written consent of Water Authority, who may require the applicant to provide, operate and maintain suitable works for the treatment and disposal of such effluent or foul water, as a condition of granting his consent;

- (f) to note the Director of Electrical and Mechanical Services (DEMS)'s comments that:
- (i) there is a high pressure underground town gas transmission pipeline (running along Lam Kam Road) in the vicinity of the Site. For any development that will result in a significant increase in population in the vicinity of the above gas installation, a risk assessment would be required from the applicant to assess the potential risks associated with the gas installation, having considered the proposed development;
 - (ii) the applicant/consultant/works contractor should liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of existing or planned gas pipes/gas installations in the vicinity of the Site and any required minimum set back distance away from them during the design and construction stages of development; and
 - (iii) the applicant/consultant/works contractor is required to observe the requirements of the EMSD's 'Code of Practice on Avoiding Danger from Gas Pipes' for reference.