

**Previous S.16 Application**

**Approved Application**

<b>Application No.</b>	<b>Uses/ Development</b>	<b>Date of Consideration</b>	<b>Approval Conditions</b>
A/NE-TKL/565	Temporary Social Welfare Facility (Residential Care Home for Persons with Disabilities) for a Period of 3 Years	22.9.2017	A1 – A7

**Approval Conditions:**

- A1 The submission of a drainage proposal
- A2 The provision of drainage facilities
- A3 The submission of a fire service installations and water supplies for firefighting proposal
- A4 The provision of fire service installations and water supplies for firefighting
- A5 The submission of a proposal for sewage treatment and disposal
- A6 The provision of sewage treatment and disposal facilities
- A7 Revocation clause

**Recommended Advisory Clauses**

- (a) to note the comments of Director of Environmental Protection that the applicant is reminded to comply with all environmental protection/pollution control ordinances, in particular the Water Pollution Control Ordinance, and to follow the requirements in ProPECC 5-93 regarding the operation and maintenance of the grease trap, septic tank and soakaway system;
- (b) to note the comments of the District Lands Officer/North that:
  - (i) it is noted that the access to the Site would route through the adjoining lot. The applicant should make his own arrangement to acquire access. The Government shall accept no responsibility in such arrangements;
  - (ii) the regularization application for occupation of the Government Land (GL) adjoining the lot by way of Short Term Tenancy (STT) to support the operation of residential care home for persons with disabilities is being processed by his office. The area of concerned GL is about 679.27m<sup>2</sup> and the Built-Over-Area (BOA) of the existing structures erected on the GL concerned should not exceed 138.21m<sup>2</sup>;
  - (iii) the existing structures erected on the GL concerned cannot be used for domestic purpose; and
  - (iv) if the renewal of planning approval is granted, his office will review the STT regularization application aforementioned. If the actual area of the concerned GL and BOA of the existing structures erected on the GL concerned exceed the ones mentioned above, the excessive area and BOA will be subject to such terms and conditions to be imposed including payment of rent and administrative fees as considered appropriate by his office;
- (c) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department that:
  - (i) the existing structures (not being a NTEH) are erected on leased land without approval of the BD, they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the application;
  - (ii) before any new building works (including open shed as temporary buildings) are to be carried out on the Site, the prior approval and consent of the BD should be obtained, otherwise they are UBW. An Authorized Person should be appointed as the co-ordinator for the proposed buildings works in accordance with the BO;
  - (iii) for UBW erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with the 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;
  - (iv) if the development under application is subject to the issue of a licence, the applicant should be reminded that any existing structures on the Site intended to be used for such purposes are required to comply with the building safety and other relevant

requirements as may be imposed by the licensing authority;

- (v) 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;
  - (vi) if the Site does not abut a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under B(P)R 19(3) at the building plan submission stage; and
  - (vii) detailed comments will be given at the building plan submission stage;
- (d) to note the comments of Commissioner for Transport that the vehicular access between the Site and Ping Che Road is not managed by TD. The applicant should also seek comment from the responsible party;
  - (e) to note the comments of Chief Engineer/Mainland North, Drainage Services Department that the existing drainage facilities should be maintained properly and rectify those facilities if they are found inadequate/ineffective during operation;
  - (f) to note the comments of Director of Fire Services that the existing fire service installations implemented on the Site shall be maintained in efficient working order at all times;
  - (g) to note the comments of 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 WSD's standards; and
  - (h) to note the comments of Director of Food and Environmental Hygiene (DFEH) that no Food and Environmental Hygiene Department's (FEHD) facilities will be affected and such work and operation shall not cause any environmental nuisance, pest infestation and obstruction to the surroundings. For any waste generated from the activity/operation, the applicant should arrange disposal properly at his own expenses. Proper licence/permit issued by FEHD is required if there is any catering service / activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public.