

Previous application covering the Site

Approved application

	<u>Application No.</u>	<u>Zoning(s) and OZP at the time of consideration</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC)</u>	<u>Approval Conditions</u>
1.	A/HSK/36	“V” on draft HSK & HT OZP No. S/HSK/1	Proposed Temporary Public Vehicle Park (Private Cars) (3 Year)	12.1.2018 (revoked on 12.2.2019)	1-10

Approval Conditions:

- 1 Only private cars as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to enter/ be parked on the site.
- 2 A notice shall be posted at a prominent location of the site at all times to indicate that only private cars as defined in the Road Traffic Ordinance, as proposed by the applicant, are allowed to enter/be parked on the Site .
- 3 A notice shall be posted at a prominent location of the site to remind drivers on pedestrian safety on the access road to the site.
- 4 No vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site.
- 5 No vehicle repairing, dismantling and workshop uses, as proposed by the applicant, is allowed on the site.
- 6 No vehicle is allowed to queue back to or reverse onto/from public road.
- 7 The implementation of the accepted drainage proposal and maintenance of the drainage facilities.
- 8 The submission/provision of a run-in/out proposal.
- 9 The submission/provision of FSIs proposals.
- 10 Provision of fencing.

Advisory Clauses

- (a) prior planning permission should have been obtained before continuing the development on the Site;
- (b) to resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (c) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the site comprises Old Schedule Agricultural Lots 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. No permission is given for occupation of Government Land (G.L.) of about 90m² in area included in the Site. The act of occupation of G.L. without Government's prior approval is not allowed. With the implementation of the tightened arrangements for handling regularization applications, LandsD will no longer accept application for regularization of new or extension of unlawful occupation of G.L. or erection of new structures which is found commenced on or after 28 March 2017. The site is accessible to Kiu Hung Road through G.L. His office does not guarantee any right-of-way over the G.L. to the site and provides no maintenance work for the G.L. involved. The lots owners will need to apply to his office for permitting the structures to be erected or to 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. The applicant has to either exclude the G.L. portion from the Site or apply for a formal approval prior to the actual occupation of the G.L. Applications for any of the above will be considered by the LandsD acting in the capacity of the landlord or lessor at its sole discretion and there is no guarantee that such application will be approved. If such application is approved, it will be subject to such terms and conditions, including among others the payment of premium or fee, as may be imposed by the LandsD;
- (d) to note the comments of the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD) that sufficient manoeuvring spaces shall be provided within the Site. No vehicles are allowed to queue back to public roads or reverse onto/from public roads;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that adequate drainage measures should be provided at the Site access to prevent surface water flowing from the Site to nearby public roads/drains. HyD shall not be responsible for the maintenance of any access connecting the Site and public road. If the proposed run-in/out is agreed by TD, the applicant should provide the run-in/out at Kiu Hung Road in accordance with the latest version of Highways Standard Drawing No. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement. If provision of run-in/out involved removal of railings, agreement from TD should be sought before commencement of the works. If the removal of railings is agreed by TD, the applicant should remove the railing and reinstate the road surface in accordance with HyD standard. Handing over inspection should be arranged before HyD taking up the maintenance of the constructed works;
- (f) to follow the relevant mitigation measures and requirements in the latest 'Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites' issued by the Environmental Protection Department;
- (g) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that if the existing structures (not being a New Territories Exempted House) 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 approved 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 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 the BD should be obtained, otherwise they are UBW. An Authorized Person (AP) should be appointed as the coordinator 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 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 Building (Planning) Regulations at the building plan submission stage;

- (h) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the proposal, FSIs are anticipated to be required. Therefore, the applicant should submit relevant layout plans incorporated with the proposed FSIs to him 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 are 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 (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;
- (i) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that the required condition record should include colour photos showing the current condition of the drainage facilities and a layout plan indicating the locations of the photos taken. The submitted photos should cover all internal surface channels, catch pits, sand traps, manholes, terminal catch pits/manholes and the downstream discharge path as indicated on the submitted drainage proposal.