

**Similar s.16 Application for Place of Recreation, Sports or Culture
within the Same “R(D)” Zone on the Lau Fau Shan and Tsim Bei Tsui OZP**

Approved Application

	<u>Application No.</u>	<u>Proposed Use</u>	<u>Zoning</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Conditions</u>
1.	A/YL-LFS/323	Proposed Temporary Place of Recreation, Sports or Culture for a Period of 5 Years	“R(C)” and “R(D)”	20.7.2018	1, 2, 3, 4

Approval Condition(s)

1. The provision of fencing.
2. The submission and implementation of revised drainage proposal.
3. The submission and implementation of fire service installations proposal.
4. The submission and implementation of landscape (and tree preservation) proposal.

Advisory Clauses

- (a) to resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (b) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the Site comprises two New Grant Agricultural Lots held under Tai Po New Grant No. 2645 (Lot No. 588 in D.D. 128) and Yuen Long New Grant No. 282 (Lot No. 594 in D.D. 128) respectively which contain the restriction that no structures are allowed to be erected without the prior approval of the Government. The Site is accessible from Deep Bay Road through Government Land (GL) and private lots. His office provides no maintenance works over the GL involved and does not guarantee any right-of-way to the Site. The Site does not fall within Shek Kong Airfield Height Restriction Area. The lot owner(s) of the lot(s) without Short Term Waiver will need to apply to his office for permitting the structures to be erected or regularize any irregularity on site, if any. No construction of New Territories Exempted Building(s) will be considered or allowed. Application(s) 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(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 may be imposed by the LandsD;
- (c) to note the comments of the Commissioner for Transport (C for T) that the applicant should remind visitors to arrive the Site by using public transport services;
- (d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that the applicant should be reminded that there is and will be no vehicular access to/from the Site;
- (e) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that the applicant should implement appropriate measures to avoid causing pollution and disturbance to the watercourse to the south;
- (f) to note the comments of the Director of Environmental Protection (DEP) that heavy vehicles and dusty operation are not expected and the applicant should minimise any noise from the proposed use such as prohibiting the use of loudspeakers so that it would not cause any environmental nuisance to nearby sensitive receivers. The applicant should follow the relevant mitigation measures and requirements in the revised "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" ("COP") to minimise any potential environmental nuisance;
- (g) to note the comments of Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that the approval of the application by the Town Planning Board does not imply the approval of tree works (such as felling/transplanting or pruning) and/or requirements under lease. Tree works applications should be submitted direct to relevant authority for approval if necessary;
- (h) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that 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 Building Authority should be obtained, otherwise they are unauthorized building works (UBW) under the Buildings Ordinance (BO). An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO. For UBW erected on leased land, enforcement action may be taken by 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. 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 4.5 m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage;

- (i) to note the comments of the Director of Fire Services (D of FS) that 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 (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans; and
- (j) to note the comments of the 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 surrounding. 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. For any waste generated from such activity / operation, the applicant should arrange disposal properly at their own expenses.