

**Similar s.16 Applications within the subject “V” Zone
on the draft Hung Shui Kiu and Ha Tsuen Outline Zoning Plan**

Approved Applications

	<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/TPB)</u>	<u>Approval Conditions</u>
1.	A/YL-HT/889	“V” on approved Ha Tsuen OZP No. S/YL-HT/10	Temporary Shop and Services (Real Estate Agency) (3 Years)	21.3.2014	1, 2, 4, 5, 7, 8
2.	A/YL-HT/931	“V” on approved Ha Tsuen OZP No. S/YL-HT/10	Proposed Temporary Shop and Services (Real Estate Agency and Interior Design Sample Showroom) (3 Years)	16.1.2015 (revoked on 16.4.2017)	1, 2, 4, 5, 7, 8
3.	A/YL-HT/955	“V” on approved Ha Tsuen OZP No. S/YL-HT/10	Proposed Temporary Shop and Services (Real Estate Agency) (3 Years)	7.8.2015	1, 2, 4, 5, 7, 8, 9
4.	A/YL-HT/973	“V” on approved Ha Tsuen OZP No. S/YL-HT/10	Proposed Temporary Shop and Services (Real Estate Agency) (3 Years)	18.9.2015	1, 2, 4, 5, 7, 8
5.	A/YL-HT/980	“V” on approved Ha Tsuen OZP No. S/YL-HT/10	Proposed Temporary Shop and Services (Real Estate Agency) (3 Years)	22.1.2016	1, 2, 4, 5, 7, 8
6.	A/YL-HT/996	“V” on approved Ha Tsuen OZP No. S/YL-HT/10	Proposed Temporary Shop and Services (Real Estate Agency) (3 Years)	8.1.2016	1, 2, 4, 5, 7, 8
7.	A/YL-HT/1013	“V” on approved Ha Tsuen OZP No. S/YL-HT/10	Temporary Shop and Services (Real Estate Agency) (3 Years)	8.4.2016	1, 2, 4, 5, 7, 8
8.	A/YL-HT/1069	“V” on approved Ha Tsuen OZP No. S/YL-HT/10	Renewal of Planning Approval for “Temporary Shop and Services (Real Estate Agency)” (3 Years)	17.3.2017	1, 2, 4, 5, 7, 8
9.	A/HSK/13	“V” on draft Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/1	Temporary Shop and Services (Real Estate Agency) (3 Years)	22.9.2017	1, 2, 4, 5, 7, 8, 9
10.	A/HSK/58	“V” on draft Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/1	Proposed Temporary Shop and Services (Convenient Store and Real Estate Agency) (3 Years)	6.4.2018	1, 2, 4, 5, 7, 8, 9

Approval Conditions:

- 1 No night-time operation
- 2 The submission/implementation of drainage proposals; and/or provision of drainage facilities; maintenance of existing drainage facilities; and/or submission of a condition record of the existing drainage facilities on-site
- 3 The diversion of the existing water mains affected by the development
- 4 The submission and implementation of landscape and/or tree preservation proposals and/or the maintenance of the landscape planting/existing trees/vegetation
- 5 The submission of FSIs proposals and the implementation of FSIs proposals
- 6 The provision of a 9-litres water type/3kg dry powder fire extinguisher in the site office
- 7 Revocation clauses
- 8 Reinstatement clause
- 9 No vehicle is allowed to queue back to public road or reverse onto/from the public road.

Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the development on-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. The private land of Lot No. 1046RP in D.D. 125 is covered by a Short Term Wavier (STW) No. 4163 to permit structures for the purpose of “Temporary Shop and Services (Convenient Store)”. The Site is accessible to San Sik Road through both private lots and Government Land (GL). His Office provides no maintenance work to the GL involved and does not guarantee any right-of-way. The Site does not fall within Shek Kong Airfield Height Restriction Area. According to his record, there is no small house applications having been approved or under processing within the “V” zone portion of the Site. The STW holders will need to apply to his Office for modification of the STW conditions if there are any irregularities on site. Such application 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 Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that there is and will be no vehicular access to/from the Site;
- (e) to follow the relevant mitigation measures and requirements in the latest ‘Code of Practice on Handling Environmental Aspects of Open Storage and Temporary Uses’ issued by the Environmental Protection Department;
- (f) 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 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. 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. 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.
- (g) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the structures, fire service installations (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 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 BO (Cap. 123), detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans; and

- (h) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with the planning, designing, organizing and supervising any activity near the underground cable or overhead line under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. The applicant should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation when carrying out works in the vicinity of the electricity supply lines.