

Previous s.16 Applications covering the Application Site

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s)/ Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Conditions</u>
1.	A/YL-LFS/28	Temporary open storage of marble (12 Months)	22.5.1998 (12 Months)	1, 2, 3
2.	A/YL-LFS/45	Temporary open storage of marble (12 Months)	5.11.1999 (12 Months)	1, 2, 3, 4
3.	A/YL-LFS/68	Temporary open storage of marble (3 Years)	26.10.2001 on review (12 Months) (revoked on 26.4.2002)	1, 2, 4, 5, 6, 7, 8

Approval Conditions:

1. Submission and/ or implementation of landscaping proposals.
2. Reinstatement clause.
3. Provision of flood mitigation measures and/or drainage facilities.
4. Revocation clauses.
5. The stacking height of the materials stored within 5m of the periphery of the site should not exceed the height of the boundary fence.
6. Submission and/or implementation of drainage proposals and/or provision of drainage facilities proposed.
7. Submission and implementation of environmental mitigation measures proposals.
8. Submission and provision of vehicular access arrangement to the site.

Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the development on the Site;
- (b) to resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (c) the Site should be kept in a clean and tidy condition at all times;
- (d) to note the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD)'s comments that the Site comprises an Old Schedule Agricultural Lot 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 Site is accessible to Deep Bay Road through both Government Land (GL) and private land. LandsD provides no maintenance work for the GL involved and does not guarantee any right-of-way. The lot owner has to apply to her office to permit the structures to be erected or regularize any irregularity on site. Such application will be considered by 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 LandsD.
- (e) to note the Chief Highway Engineer/New Territories West, Highways Department's comments that the application is approved on the understanding that there is or will be no vehicular access to/from the Site;
- (f) to follow the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" issued by the Environmental Protection Department to minimize any potential environmental nuisances;
- (g) to note the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, Plan D)'s comments that the approval of the application and or landscape proposal does not imply the approval of tree works such as pruning, transplanting and felling under lease. Tree work applications should be submitted direct to DLO for approval. a minimum soil provision of 1m (W) x 1m (L) x 1.2m (D) should be provided for each tree. In consideration of the temporary nature of the site, the Applicant may wish to propose tree species with a short life span habit. Useful information on general tree maintenance is available for reference in 護養樹木的簡易圖解 (http://www.greening.gov.hk/filemanager/content/pdf/tree_care/Pictorial_Guide_for_Tree_Maintenance.pdf) and the Handbook of Tree Management (Chinese Version: https://www.greening.gov.hk/tc/tree_care/Handbook_on_Tree_Management.html) published by the GLTM Section, DEVB.
- (h) to note the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD)'s comments that before any new building works (including containers/open sheds as temporary buildings) are to be carried out on site, prior approval and consent of the BD should be obtained, otherwise they are unauthorized building works (UBW) under the Buildings Ordinance (BO). 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) Regulation at the building plan submission stage;

- (i) to note the Director of Fire Services' comments that in consideration of the design/nature of the proposal, 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. In addition, the applicant should also be advised that the layout plan should be drawn to scale and depicted with dimensions and nature of occupancy. Also, the location of where the proposed FSIs to be installed should be clearly marked on the layout plans. However, if the proposed structure(s) is required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;
- (j) to note the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD)'s comments 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
- (k) to note the Director of Food and Environmental Hygiene (DFEH)'s comments that no Food and Environmental Hygiene Department's (FEHD) facilities will be affected and such work/operation shall not cause any environmental nuisance, pest infestation and obstruction to the surrounding. For any waste generated from the commercial/trading activities, the applicant should arrange disposal properly at her own expenses. Proper licence / permit issued by FEHD is required if there is any catering service / activities regulated by the Director of Food and Environmental Hygiene under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public.