

Previous s.16 Applications covering the Application Site

Approved Applications

	<u>Application No.</u>	<u>Applied Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Condition(s)</u>
1	A/YL-HT/320	Temporary open storage of used air conditioners and metal wares (3 years)	5.12.2003 (3 years)	1, 2, 3, 4, 5, 6
2	A/YL-HT/467	Temporary open storage of used air conditioners and metal wares (renewal of planning approval under Application No. A/YL-HT/320) (3 years)	17.11.2006 (3 years)	1, 3, 4, 5, 6, 7, 8
3	A/YL-HT/654	Temporary open storage of vehicle parts (3 years)	20.11.2009 (3 years)	3, 4, 5, 6, 7, 8, 9, 10
4	A/YL-HT/816	Temporary open storage of vehicle parts (renewal of planning approval under Application No. A/YL-HT/654) (3 years)	9.11.2012 (3 years)	1, 3, 4, 5, 6, 7, 8, 9
5	A/YL-HT/979	Temporary open storage of vehicle parts (renewal of planning approval under Application No. A/YL-HT/816) (3 years)	6.11.2015 (3 years)	1, 2, 3, 4, 5, 6, 7, 8, 9

Approval Conditions:

1. The submission and implementation of landscaping and/or tree preservation proposals, and/or provision of replacement planting and/or the replacement of dead trees.
2. The provision/maintenance of paving, and/or fencing, and/or screening planting.
3. The submission of DIA/drainage proposals and/or provision of drainage facilities, and/or submission of a condition record of the existing drainage facilities.
4. Reinstatement clause.
5. Revocation clause.
6. No night-time operation and/or no operation on Sundays and public holidays.
7. The maintenance of the drainage facilities.
8. No cutting, dismantling, repairing, and/or melting, and/or compaction, and/or unpacking, and/or re-packing, and/or vehicle repair, and/or container repair, cleansing and workshop activity.
9. The submission/implementation of FSIs proposals and/or provision of FSIs, with or without sprinkler system, provision of fire extinguishers.
10. The maintenance of the landscape planting/existing trees/vegetation.

Advisory Clauses

- (a) prior planning permission should have been obtained before continuing the proposed development on-site;
- (b) to resolve any land issues relating to the development with the concerned owner(s) of the application site (the Site);
- (c) the planning permission is given to the development/uses under application. It does not condone any other development/use which currently exists on the Site but not covered by the application. The applicant shall be requested to take immediate action to discontinue such development/use not covered by the permission;
- (d) to note that the Site might be resumed at any time during the planning approval period for implementation of government projects;
- (e) 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 (PL) of Lot No. 2950 RP in D.D. 129 is partly covered by Short Term Waiver (STW) No. 2368 to permit structures for the purpose of "Vehicle Repair Workshop". The Site is accessible from Lau Fau Shan Road through PL only. His office does not guarantee any right-of-way. The Site does not fall within Shek Kong Airfield Height Restriction Area. The lot owners will need to apply to his office to permit the structures to be erected or regularize any irregularity 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. No construction of New Territories Exempted Building(s) will be considered or allowed. Furthermore, the STW holder will need to apply to his office for modification of the STW conditions where appropriate. 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 applications will be approved. If such applications are 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;
- (f) 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. The local track leading to the site is not under TD's purview. The applicant shall obtain consent of the owners/ managing departments of the local track for using it as the vehicular access to the Site;
- (g) 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 and drains. HyD shall not be responsible for the maintenance of any access connecting the Site and Lau Fau Shan Road;
- (h) 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;
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that 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 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;

- (j) 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 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 BO (Cap. 123), detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans; and
- (k) to note the comments of the Project Manager (New Territories West), Civil Engineering and Development Department (PM/NTW, CEDD) that the Site falls within the boundary of HSK NDA. According to the Planning and Engineering Study (P&E Study) for the HSK NDA, to ensure timely and orderly implementation, the development of HSK NDA and relevant site formation and infrastructure works would be implemented in five stages, viz. Advance Works and Stage 1 to Stage 4. The lot(s) concerned falls within a site under Stage 4 Works stage. While the detailed implementation programme for the project is still being formulated, based on the P&E Study, it is envisaged that clearance of the Site in question will not be arranged before the first population intake of the HSK NDA expected in 2024.