

Previous s.16 Application covering the Application Site

Approved Application

	<u>Application No.</u>	<u>Zoning(s) and OZP at the time of consideration</u>	<u>Applied Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Condition(s)</u>
1.	A/YL-HT/973	“V” on approved Ha Tsuen Outline Zoning Plan No. S/YL-HT/10	Proposed temporary shop and services (real estate agency) (3 years)	18.9.2015	1, 2, 3, 4, 5, 6

Approval conditions:

1. No night-time, Sunday and public holidays operation.
2. The submission and implementation of drainage proposal.
3. The submission and implementation of landscape proposal.
4. The submission and implementation of fire service installations
5. Revoked clause
6. Reinstatement clause

**Similar s.16 Applications within the subject "V" Zone
on the approved Ha Tsuen Outline Zoning Plan**

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Zoning</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Conditions</u>
1.	A/YL-HT/889	Temporary Shop and Services (Real Estate Agency) (3 Years)	"V" on approved Ha Tsuen OZP No. S/YL-HT/10	21.3.2014 (3 Years)	1, 2, 3, 4, 8, 9
2.	A/YL-HT/931	Temporary Shop and Services (Real Estate Agency and Interior Design Sample Showroom) (3 Years)	"V" on approved Ha Tsuen OZP No. S/YL-HT/10	16.1.2015 (3 Years) (16.4.2017 revoked)	1, 2, 3, 4, 8, 9
3.	A/YL-HT/955	Temporary Shop and Services (Real Estate Agency) (3 Years)	"V" on approved Ha Tsuen OZP No. S/YL-HT/10	7.8.2015 (3 Years)	1, 2, 3, 4, 8, 9, 10
4.	A/YL-HT/980	Proposed Temporary Shop and Services (Real Estate Agency) (3 Years)	"V" on approved Ha Tsuen OZP No. S/YL-HT/10	22.1.2016 (3 Years)	1, 2, 3, 4, 5, 6, 8, 9
5.	A/YL-HT/996	Proposed Temporary Shop and Services (Real Estate Agency) (3 Years)	"V" on approved Ha Tsuen OZP No. S/YL-HT/10	8.1.2016 (3 Years)	1, 2, 3, 4, 8, 9
6.	A/YL-HT/1013	Proposed Temporary Shop and Services (Real Estate Agency) (3 Years)	"V" on approved Ha Tsuen OZP No. S/YL-HT/10	8.4.2016 (3 Years) (revoked on 8.9.2018)	1, 2, 3, 4, 8, 9
7.	A/YL-HT/1069	Renewal of Planning Approval for Temporary "Shop and Services (Real Estate Agency)" (3 Years)	"V" on approved Ha Tsuen OZP No. S/YL-HT/10	17.3.2017 (3 Years)	1, 2, 3, 4, 8, 9

8.	A/HSK/13	Temporary Shop and Services (Real Estate Agency) (3 Years)	“V” on drafted Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/1	22.9.2017 (3 Years)	1, 2, 3, 4, 6, 8, 9,
9.	A/HSK/58	Proposed Temporary Shop and Services (Convenient Store and Real Estate Agency) (3 Years)	“V” on drafted Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/1	6.4.2018 (3 Years)	1, 2, 4, 8, 9
10.	A/HSK/62	Temporary Shop and Services (Real Estate Agency) (3 Years)	“V” on drafted Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/1	4.5.2018 (3 Years)	1, 2, 4, 8, 9
11.	A/HSK/97	Temporary Shop and Services (Real Estate Agency and Interior Design Sample Showroom) (3 Years)	“V” on drafted Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/1	5.10.2018 (3 Years)	1, 2, 3, 4, 8, 9

Approval Conditions:

- 1 No night-time operation and/or no operation on Sundays and public holidays.
- 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 submission and implementation of landscaping and/or tree preservation proposals.
- 4 The submission of FSIs proposals and the provision of FSIs/implementation of FSIs proposals.
- 5 The provision of a 9-litres water type/3kg dry powder fire extinguisher in the site office.
- 6 The maintenance of the landscape planting/existing trees/vegetation.
- 7 The diversion of the existing water mains affected by the development.
- 8 Revocation clauses.
- 9 Reinstatement clause.
- 10 No vehicle is allowed to queue back to public road or reverse onto/from the public road at all times during the planning approval period.

Advisory clauses

- (a) resolve any land issues relating to the development with the concerned owner(s) of the application site;
- (b) 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;
- (c) note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL of LandsD) that the site comprises Old Schedule Agricultural Lots held under Block Government Lease which contains the restriction that no structures are allowed to be erected without prior approval from the Government. The site is accessible to San Sik Road through a local track located on both private lot and Government Land (GL). In this regard, his office provides no maintenance work for the GL involved and does not guarantee right-of-way. The lot owner(s) concerned would still need to apply to his Office to permit any structures to be erected or regularize any irregularities on site. Such application would be considered by the LandsD acting in the capacity as landlord at its sole discretion and no guarantee that such application will be approved. If such application is approved, it would be subject to such terms and conditions, including among others, the payment of premium/fees, as may be imposed by LandsD;
- (d) note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that the applicant should implement and maintain the proposed drainage facilities to the satisfaction of his Division.
- (e) note the comments of the Director of Environmental Protection (DEP) that the applicant is reminded to adopt the latest "Code of Practice (COP) on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" to minimize any potential environmental nuisance;
- (f) note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that adequate drainage measures should be provided to prevent surface water running from the site to the nearby public roads and drains. The HyD shall not be responsible for the maintenance of any access connecting the site and San Sik Road;
- (g) note the comments of the Director of Fire Services that the applicant is advised to submit relevant layout plans incorporated with the proposed fire service installations (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 Building Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general

building plans; and

- (h) note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that if the existing structures are erected on leased land without approval of the BD (not being a New Territories Exempted Houses), they are unauthorized under the Buildings Ordinance and should not be designated for any approved use under the application. Before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the application site, the prior approval and consent of BD should be obtained, otherwise they are Unauthorized Building Works (UBW). An Authorized Person should be appointed as the coordinator for the proposed building works in accordance with the Buildings Ordinance (BO). For the UBW erected on leased land, enforcement action may be taken by 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 application 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 4.5 m wide, its permitted development intensity shall be determined under Regulation 19(3) of the Building (Planning) Regulation at the building plan submission stage.