

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/Development</u>	<u>Date of Consideration (RNTPC)</u>	<u>Approval Condition(s)</u>
1.	A/YL-HT/8	"OS" on draft Ha Tsuen OZP No. S/YL-HT/1	Open Storage of Containers with Repairing Workshop	22.3.1996 (2.5 Years)	1 to 8

Approval condition(s)

- 1 The submission and/or implementation of landscape proposals
- 2 The provision of sewage treatment and disposal facilities.
- 3 The provision of noise and dust mitigation measures.
- 4 The provision of drainage facilities.
- 5 The provision of car-parking spaces, loading/unloading spaces and queuing area within the site and separation of ingress and egress points.
- 6 No spraying activities will be allowed in the Site.
- 7 Operation and repairing activities on the site should be restricted to 0700-2200 and 0700-1900 hours respectively.
- 8 Reinstatement Clause.

**Similar Application within the same “C(3)” and “R(A)2” Zones on  
the approved Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/2**

**Approved Applications**

	<b>Application No.</b>	<b>Applied Use(s)/Development(s)</b>	<b>Date of Consideration (RNTPC)</b>	<b>Approval Condition(s)</b>
1.	A/HSK/18	Proposed Temporary Warehouse for Storage of Provisions (3 years)	13.10.2017 (3 years)	1, 2, 3, 4, 5, 6, 7, 8

**Approval Condition(s):**

- 1 No night-time operation/no operation on Sundays or public holidays.
- 2 The submission of DIA/drainage proposals and/or provision of drainage facilities/implementation of the drainage facilities proposed, and/or submission of a condition record of the existing drainage facilities.
- 3 The maintenance of the drainage facilities.
- 4 The submission/implementation of tree preservation and landscape proposal.
- 5 The submission/implementation of FSIs proposals and/or provision of FSIs, with or without sprinkler system.
- 6 The provision of paving, and/or fencing, and/or screening planting.
- 7 Revocation clauses.
- 8 Reinstatement clause.

**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 that the site might be resumed at any time during the planning approval period for implementation of government projects;
- (d) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) 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. No permission is given for occupation of Government Land (GL) (about 140m<sup>2</sup> subject to verification) included in the site. Attention is drawn to the fact that the act of occupation of GL without Government's prior approval is not allowed. The site is accessible from Hung Chi Road through GL. His office provides no maintenance works to the GL involved and does not guarantee any right-of-way over the GL to the site. Lot No. 637 RP in D.D.124 is covered by Short Term Wavier (STW) No. 4664 for the purposes of Temporary Cargo Handling and Forwarding Facility. The STW holders will need to apply to his office for modification of the STW conditions where appropriate and the lot owner(s) of the lot(s) without STW will need to apply to his office for permitting the structures to be erected or to regularize any irregularities on site, if any. The applicant has to either exclude the GL from the site or apply for a formal approval prior to the actual occupation of the GL. 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. 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;
- (e) 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;
- (f) 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/drains.
- (g) to note the comments of the Chief Engineer/Railway Development Division 2-2, Highways Department (CE/RD 2-2, HyD) that the site falls within the protection boundary of the West Rail Line. With reference to the procedures in PNAP APP-24, MTRCL should be consulted with respect to operation, maintenance, safety and future construction of the existing railway network;

- (h) to note the comments of the MTRCL that the Site falls within the West Rail protection boundary, all works shall comply with the requirements as stated in PNAP APP-24 whichever is applicable for MTR protection. For any works that involve lifting appliances adopted on site, they shall be positioned as far as possible away from the West Rail tracks/structures. MTRCL's prior agreement on the locations of these lifting appliances before their operation on site shall be sought. The construction proposal shall be submitted to MTRCL for comment and prior agreement before commencement of any works on site, which shall include (i) method statements, together with an indication of the tools and plants to be adopted; (ii) programme of work; and (iii) emergency contact list;
- (i) 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;
- (j) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that a structure with an extensive rain shelter with area exceeding 4000m<sup>2</sup> is noted within the site. The applicant should explain how the rain water can be collected and conveyed to the discharge point through downpipes and surface channels. Peripheral surface channels shall be provided along the site boundary to collect the surface runoff accrued on the Site and to intercept the overland flow from the adjacent lands, in particular the ground to the north-west of the applicant site. The proposal should indicate how the runoff (the flow direction) within the Site would be discharged to the proposed u-channel. The cover levels and invert levels of the proposed u-channels, catchpits/sand traps should be shown on the drainage plan. Cross sections showing the existing and proposed ground levels of the captioned site with respect to the adjacent areas should be given. Sand trap or provision alike should be provided before the collected runoff is discharged to the public drainage facilities. Standard details should be provided to indicate the sectional details of the proposed u-channel and the catchpit/sand trap. Where walls or hoarding are erected along the site boundary, adequate opening should be provided to intercept the existing overland flow passing through the Site. The development should neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc. The applicant should consult DLO/YL and seek consent from the relevant owners for any drainage works to be carried out outside his lot boundary before commencement of the drainage works;
- (k) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the BD, they are unauthorized building works (UBW) under the Building Ordinance (BO) and should not be designated for any proposed use under the application. 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 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. 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. 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 B(P)R at the building plan submission stage;

- (l) 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
- (m) 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 Hung Shui Kiu New Development Area (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 concerned lot(s) falls within a site under Stage 3 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.