

Previous s.16 Applications covering the Application Site

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)</u>	<u>Approval Condition(s)</u>
1.	A/DPA/YL-HT/39	“Unspecified Use” on draft Ha Tsuen OZP No. S/YL-HT/2	Temporary Use for Ha Tsuen Heung Ten Years’ “Tai Ping Ching Chiu” (7 months)	15.7.1994 (7 months)	1, 2
2.	A/YL-HT/895	“V” on approved Ha Tsuen OZP No. S/YL-HT/10	Proposed Temporary Use for Ten Years’ “Tai Ping Ching Chiu and Thanksgiving Activity” (6 months)	25.4.2014 (6 months)	1, 2

Approval Conditions:

- 1 Provision of fire services installations.
- 2 Reinstatement.

**Similar Applications within the same “V” zone
on the approved Hung Shui Kiu and Ha Tsuen Outline Zoning Plan No. S/HSK/2**

Approved Applications

	<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/719	“V” on approved Ha Tsuen OZP No. S/YL-HT/10	Temporary Vehicle Park for Private Cars and Light Goods Vehicles (3 Years)	17.6.2011 (revoked on 17.7.2012)	1 to 12
2.	A/YL-HT/915	“V” on approved Ha Tsuen OZP No. S/YL-HT/10	Temporary Vehicle Park (Private Cars and Light Goods Vehicles) (3 Years)	31.10.2014 (revoked on 31.12.2014)	2 to 8, 11 to 16
3.	A/HSK/20	“V” on draft Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/1	Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles (3 Years)	10.11.2017	3, 4, 6, 8, 11, 12, 13, 16, 18
4.	A/HSK/76	“V” on draft Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/1	Temporary Public Vehicle Park (Private Car) (3 Years)	2.11.2018 (revoked on 2.5.2019)	3, 6, 7 and 16
5.	A/HSK/80	“V” on draft Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/1	Temporary Public Vehicle Park (Private Car) (3 Years)	20.7.2018	3, 6, 7, 11, 16 and 17
6.	A/HSK/169	“V” on approved Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/1	Proposed Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles (3 Years)	2.8.2019	3, 4, 7, 11, 12, 16, 18, 19, 20

Approval Condition(s):

1. The number of vehicles within the application site should not exceed 10.
2. No night-time operation.
3. No vehicle other than private cars and light goods vehicles with valid licence/ registration and not exceeding 5.5 tonnes or without valid licence, as defined or issued in the Road Traffic Ordinance, is allowed to be parked or stored on the site.
4. A notice should be posted at a prominent location of the site to indicate that no medium or heavy goods vehicle (i.e. exceeding 5.5 tonnes) including container trailers/tractors as defined in the Road Traffic Ordinance was allowed to be parked and/or stored on the site.
5. No parking of oil tanker trucks or any other dangerous goods vehicles.
6. The submission and implementation of (revised) drainage proposals and maintenance of implemented drainage facilities.
7. The submission and implementation of fire service installations proposals.
8. The submission and implementation of tree preservation and/or landscape proposals.
9. The construction of an intercept channel at the site entrance to prevent run-off flowing out from the site to the nearby public roads and drains through the access point.
10. The removal of a converted container within the site and the associated open shed.
11. The provision of fencing.
12. Revocation clauses.
13. Reinstatement clause.
14. No repairing, dismantling, cleansing of vehicle, selling of vehicle, or workshop activity.

15. No medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, or coach, as proposed by the applicant, is allowed to be parked/ stored on or enter/exit the site.
16. No vehicle queuing back to public road and reverse onto/from the public road.
17. The submission and implementation of a run-in proposal.
18. No cutting, dismantling, cleaning, repairing, compacting, vehicle repair and workshop activity is allowed.
19. All existing trees within the site shall be maintained in good condition.
20. Submission of the condition record of the existing drainage facilities on the site and maintenance of existing drainage facilities on the Site.

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 may be required by the Government at any time during the planning approval period for land allocation for Small House development;
- (d) 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. No permission has been given for occupation of GL (about 1,017m² subject to verification) included in the Site (**Plan A-2**). Attention is drawn to the fact that the act of occupation of GL without Government's prior approval is not allowed. With the implementation of the tightened arrangements for handling regularization applications, LandsD will no longer accept application for regularization of new or extension of unlawful occupation of GL or erection of new structures which is found commenced on or after 28 March 2017. Lot No. 924RP in D.D.125 is covered by Short Term Waiver No. 4658 (STW4658) for the purposes of Temporary Eating Place. The STW holder will need to apply to his office for modification of the STW conditions where appropriate. The applicant has to exclude the GL from the Site. Besides, given the proposed use is temporary in nature, only application for regularisation 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 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 LandsD. The Site is accessible to Ha Mei 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;
- (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. No vehicle is allowed to queue back to public road or reverse onto/from the public road;
- (f) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that the run in/out should be provided in accordance with the latest version of Highways Standard Drawing No. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match the existing adjacent pavement. Adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads/drains. HyD shall not be responsible for the maintenance of any access connecting the Site and Ha Mei Road;
- (g) to follow the latest 'Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites' issued by the Director of Environmental Protection to minimize any potential environmental nuisance;
- (h) 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, demolition and land filling) are to be carried out on the Site, prior approval and consent of the Building Authority should be obtained, otherwise they are unauthorised building works (UBW) under the Buildings Ordinance (BO). An Authorised

Person should be appointed as the co-ordinator 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 the prevailing 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 (B(P)R) respectively. The Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage;

- (i) 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 should 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. If the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123) or relevant licensing requirements, detailed fire service requirements will be formulated upon receipt of formal submission of general building plans; and
- (j) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that approval of the planning application does not imply approval of the tree works such as pruning, transplanting and/or felling under lease. The applicant is reminded to approach relevant authority / government department(s) direct to obtain the necessary approval on tree works.