

**Similar Applications within/straddling the same “V” Zone in the past 5 years**

**Approved Applications**

	<b><u>Application No.</u></b>	<b><u>Proposed Use(s)/Development(s)</u></b>	<b><u>Date of Consideration (RNTPC)</u></b>
1	A/YL-TYST/1113	Proposed Temporary Shop and Services for a Period of 3 Years	24.9.2021 [revoked on 24.3.2022]
2	A/YL-TYST/1115	Proposed Temporary Shop and Services for a Period of 3 Years	15.10.2021 [revoked on 15.4.2022]
3	A/YL-TYST/1134	Proposed Temporary Shop and Services for a Period of 3 Years	28.1.2022 [revoked on 28.7.2023]
4	A/YL-TYST/1188	Temporary Shop and Services (Motor-Vehicle Showroom) for a Period of 3 Years	9.12.2022
5	A/YL-TYST/1219*	Temporary Shop and Services for a Period of 3 Years	14.7.2023 [revoked on 14.4.2025]
6	A/YL-TYST/1222	Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) and Shop and Services for a Period of 3 Years	28.7.2023 [revoked on 28.1.2025]
7	A/YL-TYST/1228	Renewal of Planning Approval for Temporary Public Vehicle Park for Private Car and Light Goods Vehicle and Shop and Services (Real Estate Agency) for a Period of 3 Years	11.8.2023
8	A/YL-TYST/1251	Proposed Temporary Shop and Services for a Period of 3 Years and Excavation of Land	1.3.2024
9	A/YL-TYST/1328	Proposed Temporary Shop and Services and Associated Excavation of Land for a Period of 3 Years	19.9.2025
10	A/YL-TYST/1336*	Proposed Temporary Shop and Services with Ancillary Facilities for a Period of 3 Years	7.11.2025
11	A/YL-TYST/1340	Renewal of Planning Approval for Temporary Shop and Services (Motor-vehicle Showroom) for a Period of 3 Years	5.12.2025
12	A/YL-TYST/1343*	Proposed Temporary Shop and Services and Associated Excavation of Land for a Period of 3 Years	6.2.2026

Remarks:

\* Straddling an adjacent “Residential (Group D)” zone.

**Government Departments' General Comments**

**1. Land Administration**

Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

- no adverse comment on the application;
- the application site (the Site) comprises 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; and
- there is currently no Small House application approved or under processing at the Site.

**2. Traffic**

(a) Comments of the Commissioner for Transport (C for T):

- no comment on the application from traffic engineering perspective; and
- the applicant should note his advisory comments at **Appendix IV**.

(b) Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

No comment from highways maintenance point of view.

**3. Environment**

Comments of the Director of Environmental Protection (DEP):

- no adverse comment on the application; and
- no substantiated environmental complaint concerning the application site received in the past three years.

**4. Drainage**

Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

- no in-principle objection to the application;
- should the Town Planning Board (the Board) consider that the application is acceptable from the planning point of view, approval conditions requiring the submission of a drainage proposal and the implementation and maintenance on site to the satisfaction of the Director of Drainage Services or of the Board should be stipulated.

**5. Fire Safety**

Comments of the Director of Fire Services (D of FS):

- no in-principle objection to the application subject to fire service installations and water supplies for firefighting being provided to his satisfaction; and
- the applicant should note his advisory comments at **Appendix IV**.

**6. Building Matters**

Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- no objection under the Buildings Ordinance (BO) on the application; and
- it is noted that one structure is proposed in the application. Before any new building works (including containers/ open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the Building Authority should be obtained, otherwise they are unauthorized building works under the BO. An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO.

**7. District Officer's Comments**

Comments of the District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD):

His office has not received any feedback from locals.

**8. Other Departments**

The following departments have no comment on/no objection to the application:

- Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- Director of Electrical and Mechanical Services (DEMS);
- Commissioner of Police (C of P).

**Recommended Advisory Clauses**

- (a) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the lot owner(s) shall apply to his office for Short Term Waiver (STW) to permit the structure(s) erected within the said private lots. The application for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that they will be approved. The application, if approved, will be subject to such terms and conditions including the payment of waiver fee and administrative fee as considered appropriate by his department. Besides, given the proposed use is temporary in nature, only erection of temporary structure(s) will be considered;
- (b) to note the comments of the Commissioner for Transport (C for T) that sufficient manoeuvring space shall be provided within the application site (the Site). No vehicles are allowed queue back to public roads or reverse onto/from public roads;
- (c) to 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;
- (d) to note the comments of the Director of Environmental Protection (DEP) that the relevant mitigation measures and requirements in the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” should be followed to minimise the potential environmental nuisances on the surrounding area;
- (e) to note the general comments of the Director of Fire Services (D of FS) that:
  - (i) in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. Relevant layout plans incorporated with the proposed FSIs should be submitted to his department for approval;
  - (ii) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy, and the location of proposed FSIs to be installed should be clearly marked on the layout plans; and
  - (iii) if the proposed structures are 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;
- (f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that for any change of existing ground level and associated works proposed by the applicants that could affect adjacent land and cause other impacts and/or other issues to public, please submit technical assessment(s) in other aspect(s) and seek comment from relevant departments as necessary; and
- (g) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
  - (i) the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with the Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively;
  - (ii) 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

building plan submission stage;

- (iii) if the existing structures are erected on leased land without the approval of the Building Authority, they are unauthorised building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the captioned application;
- (iv) 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;
- (v) any temporary shelters or converted containers for office, storage, washroom or other uses considered as temporary buildings are subject to the control of Part VII of the B(P)R; and
- (vi) detailed checking under the BO will be carried out at building plan submission stage.