

Similar Applications within the Adjacent “O” Zone on the OZP

	Application No.	Proposed Use(s)/ Development(s)	Date of Consideration (RNTPC)	Approval Condition(s)
1	A/YL/192	Proposed Shop and Services (Retail Shop)	19.10.2012 (on a temporary basis for 3 years) (revoked on 19.4.2013)	(1), (2)
2	A/YL/200	Proposed Shop and Services (Retail Shop)	16.8.2013 (on a temporary basis for 3 years)	(1), (2)
3	A/YL/215	Proposed Temporary Shop and Services (Farm Product and Grocery Shop with Ancillary Office and Storeroom)	23.10.2015 (on a temporary basis for 6 years)	(1), (2), (3), (4), (5), (6), (7)
4	A/YL/218	Proposed Temporary Shop and Services (Real Estate Agency and Car Audio Shop)	19.2.2016 (on a temporary basis for 6 years)	(1), (2), (3), (4), (5), (6), (7)
5	A/YL/221	Renewal of Planning Approval for Temporary "Shop and Services (Retail Shop)"	24.6.2016 (on a temporary basis for 3 years)	(1), (2)
6	A/YL/233	Proposed Temporary Shop and Services (Real Estate Agency, Book Shop and Ancillary Site Office)	22.9.2017 (on a temporary basis for 6 years)	(1), (2), (5), (6), (7), (8)
7	A/YL/241	Proposed Temporary Shop and Services (Car Beauty Services)	16.3.2018 (on a temporary basis for 6 years)	(1), (2), (3), (4), (5), (7), (9), (10), (12)
8	A/YL/258	Renewal of Planning Approval for Temporary Shop and Services (Retail Shop)	16.8.2019 (on a temporary basis for 3 years)	(1), (11)

Approval Condition(s):

- (1) No night-time operation
- (2) Submission and provision of water supplies for fire service installations (FSIs) and/or FSIs proposal
- (3) No medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers /vehicle, without valid licence issued, under the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site
- (4) No queuing and reverse movement of vehicle are allowed on public road
- (5) Submission and/or implementation of drainage proposal
- (6) Submission and/or implementation of landscape proposals
- (7) Reinstatement clause
- (8) Maintenance of the drainage facilities on the site
- (9) No dismantling, maintenance, repairing, paint-spraying or other workshop activities
- (10) Provision of boundary fence
- (11) Maintenance of the existing FSIs facilities on the site
- (12) Only private cars as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at all times

Advisory clauses

- (a) 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 Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. It is noted that an unauthorized structure is erected on site and a portion of the structure is suspected being used for domestic purposes. According to the established practice, application for regularization by way of Short Term Wavier etc. of unauthorized structures for domestic use (including the staff quarters) on private agricultural land will not be entertained. Hence, his office will not consider to regularize any structures for domestic use. The lot owner(s) will need to apply to his office to permit the structures erected or to be erected for non-domestic use, or regularize any irregularities 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. Applications for any of the above will be considered by LandsD acting in the capacity as landlord or lessor at its sole discretion and there is no guarantee that such application will be approved. If such application(s) is approved, it will be subject to such terms and conditions, including among others the payment of rent or fee, as may be imposed by LandsD;
- (b) to note the comments of the Commissioner for Transport (C for T) that the applicant is reminded that sufficient space should be provided within the Site for manoeuvring of vehicles. In addition, no parking of vehicles on public road is allowed;
- (c) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that if the proposed run-in/out is agreed by Transport Department, the applicant should construct a run-in/out at Tai Shu Ha Road West 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 with 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;
- (d) to note the comments of the Director of Environmental Protection (DEP) that the applicant is advised to follow the latest “Code of Practice on Handling the Environmental Aspects of Open Storage and Temporary Uses” issued by DEP to minimize potential environmental impacts on the surrounding environment;
- (e) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that there is no public sewer connection available in the vicinity, the applicant shall seek views and comments from the DEP regarding the sewage disposal arrangement of the proposed development;
- (f) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the proposal, 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. In addition, the applicant should also be advised that the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy, and the location of where the proposed FSIs to be installed should be clearly marked on the layout plans. In addition, the applicant is reminded that if the proposed structure(s) is 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;

- (g) to note the comments of the Director of Food and Environmental Hygiene (DFEH) that no Food and Environmental Hygiene Department (FEHD)'s facilities will not be affected and such work and operation shall not cause any environmental nuisance, pest infestation and obstruction to the surrounding. Proper licence/permit issued by FEHD is required if there is any catering service/activities regulated by him under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public. For any waste generated from the such activity/operation, the applicant should arrange disposal properly at their own expenses;
- (h) 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 prior approval of the Building Authority (BA), they are unauthorized building works (UBW) under the BO and should not be designated for nay proposed use under the captioned application. 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. Before any new building works (including containers / open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on application site, prior approval and consent of the BA should be obtained, otherwise they are UBW. An Authorized Person should be appointed as the co-ordinator 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. 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; and
- (i) to note the comments of the Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD) that the applicant is reminded that the Site is located within the Scheduled Area No. 2 and may be underlain by cavernous marble. Depending on the nature of foundation, if necessary, of the new development at the proposed area, extensive geotechnical investigation may be required. Such investigation may require a high level of involvement of an experienced geotechnical engineer both in the design and in the supervision of geotechnical aspects of the works required to be carried out on the Site.