

**Appendix II of RNTPC
Paper No. A/YL-NSW/279**

Previous Applications covering the Application Site

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s)/ Development(s)</u>	<u>Zoning under Application</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Condition(s)</u>
1.	A/DPA/YL-NSW/4	Small House (Permanent)	U*	15.11.1991	1, 2, 3, 4, 5
2.	A/YL-NSW/20	Temporary Restaurant (3 Years)	REC**	28.2.1997 (1 year)	3, 4
3.	A/YL-NSW/40	Temporary Restaurant (3 Years)	REC**	3.4.1998 (1 year)	3, 4
4.	A/YL-NSW/66	Temporary Restaurant (3 Years)	REC**	5.11.1999 (2 years)	3, 5
5.	A/YL-NSW/111	Restaurant (Permanent)	OU(CDWRA)	25.1.2002 (3 years)	3
6.	A/YL-NSW/174	Temporary Restaurant (5 Years)	OU(CDWRA)	5.1.2007 (3 Years)	3
7.	A/YL-NSW/193	Renewal of Temporary Eating Place (Restaurant) for a Period of 3 Years	OU(CDWRA)	18.12.2009 (3 Years) [revoked on 18.2.2011]	3,6
8.	A/YL-NSW/208	Temporary 'Eating Place' (Restaurant) for a period of 3 years	OU(CDWRA)	22.7.2011 (3 Years)	3, 4, 6, 7, 9, 10
9.	A/YL-NSW/228	Renewal of Temporary 'Eating Place' (Restaurant) for a period of 3 years	OU(CDWRA)	22.7.2014 (3 Years)	3, 4, 6, 7, 8, 9, 10
10	A/YL-NSW/256	Renewal of Temporary 'Eating Place' (Restaurant) for a period of 3 years	OU(CDWRA)	23.6.2017 (3 Years)	3, 4, 6, 7, 9, 10

* Rezoned to "REC" on the draft Nam Sang Wai OZP No. S/YL-NSW/1 on 3.6.1994

** Rezoned to "OU(CDWRA)" on the draft Nam Sang Wai OZP No. S/YL-NSW/2 on 27.10.2000

Approval Conditions:

1. The setting back of the lot boundary to maintain a right of way.
2. The provision of vehicular ingress and egress points.

3. The submission/implementation/maintenance of landscaping proposals.
4. The submission/provision/maintenance of drainage facilities.
5. The provision of stormwater and drainage facilities as well as sewage treatment and disposal facilities.
6. The submission/provision of fire service installations (FSIs).
7. The submission of condition record of the existing drainage facilities.
8. The submission of parking layout plan and provision of parking facilities identified in the parking layout plan.
9. Revocation clause.
10. Reinstatement clause.

Recommended Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the Site;
- (b) to resolve any land issues related to the development with the locals to address their concerns;
- (c) to note DLO/YL, LandsD's comments 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. The STW holders will need to apply to his office for modification of the STW conditions if there is any irregularity on site. Besides, given the proposed use is temporary in nature, only application for regularization or election of temporary structure(s) will be considered. Applications for any of the above will be considered by LandsD acting in the capacity as landlord at its sole discretion and there is no guarantee that such application will be approved. If such application 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;
- (d) to note C for T's comments that the Site is connected to the public road network via a section of local access which is not managed by Transport Department. The land status of the local access road should be clarified with the LandsD by the applicant. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly. As there is no information about the vehicular access at the private lot(s) to the concerned site, the applicant should arrange by themselves if necessary, and should seek the relevant land owner(s) on the right of using the vehicular access;
- (e) to note CHE/NTW, HyD's comments that HyD is not/shall not be responsible for the maintenance of any existing vehicular access connecting the Site and Yau Pok Road. Adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to the nearby public roads or exclusive road drains;
- (f) to note DEP's comments that all wastewater discharge from the Site shall comply with the requirements in the Water Pollution Control Ordinance;
- (g) to note D of FS's comments that the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his Department for approval. The applicant should also be advised that (i) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; and (ii) the location of where the proposed FSIs to be installed should be clearly marked on the layout plans. Should the applicant wish to apply for exemption from the provision of FSI as prescribed by his department, the applicant is required to provide justifications to his department for consideration. If the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans; and
- (h) to note DFEH's comments that the works shall not cause any environment nuisance to the surrounding. Also, the activity inside the premises shall not cause any nuisance to the

public. The applicant should handle the wastes generated from the proposed activity on his own / at his expenses. The applicant is advised that proper license /permit issued by FEHD is required if there is any catering service /activities regulated by the DEFH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public and the operation of any business should not cause any obstruction.