

**Appendix II of
RNTPC Paper No. A/YL-PH/813**

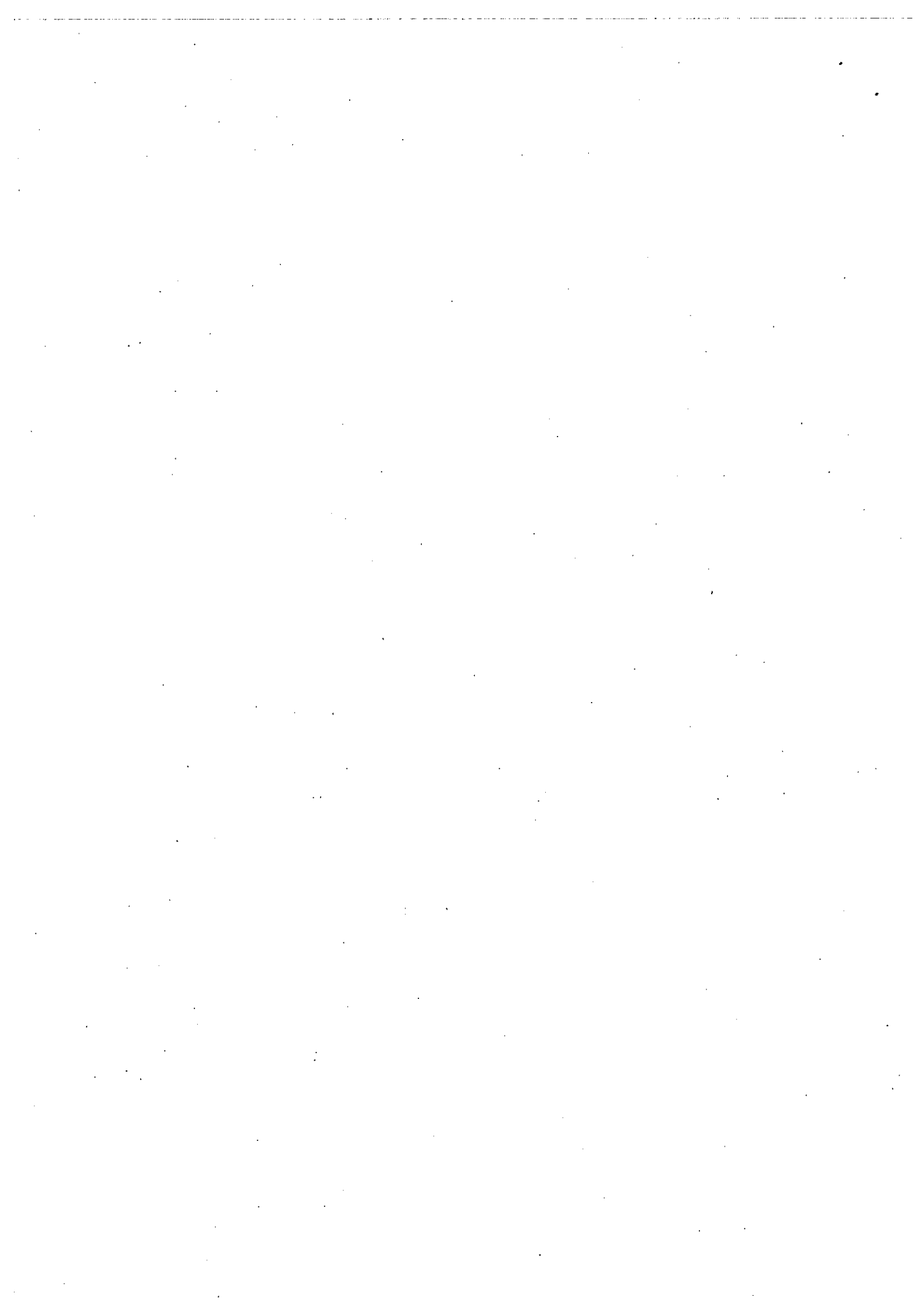
Previous s.16 Application Covering the Application Site

Approved Application

	Application No.	Proposed Use(s)	Date of Consideration (RNTPC)	Approval Condition(s)
1.	A/YL-PH/672	Temporary Shop and Services (Real Estate Agency) for a Period of 5 Years	6.9.2013 (for 3 years)	(a), (b), (c), (d), (e), (f)

Approval Conditions:

- (a) no night-time operation between 7:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period
- (b) the submission of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB
- (c) the provision of fire service installations within 9 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB
- (d) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice
- (e) if any of the above planning conditions (b) or (c) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice
- (f) upon expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the TPB



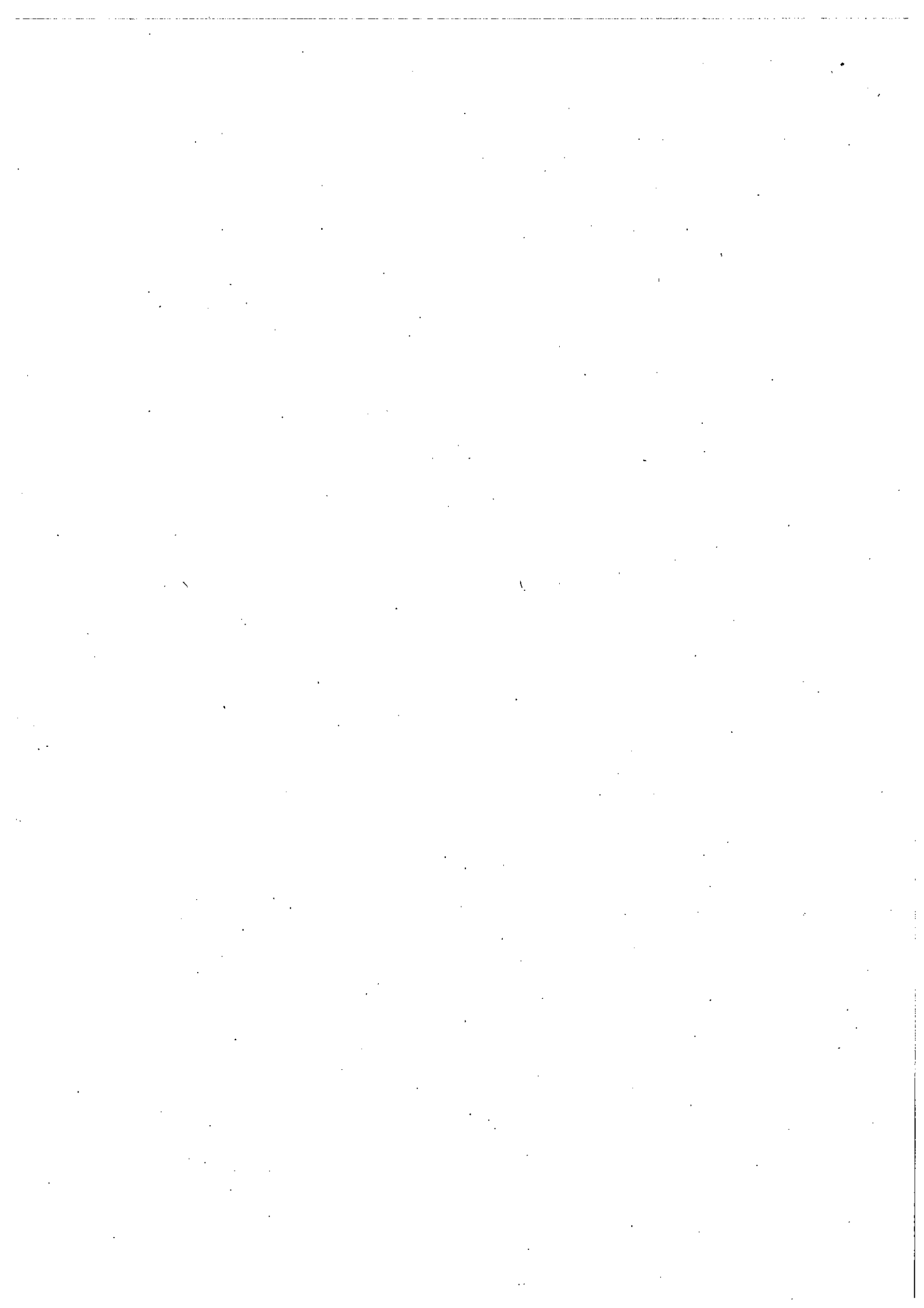
Similar Applications in the Same "V" Zone on the OZP

Approved Applications

	Application No.	Proposed Use(s)	Date of Consideration (RNTPC)	Approval Condition(s)
1.	A/YL-PH/708	Temporary shop and services for a period of 3 years	16.1.2015 [revoked on 16.4.2017]	(1), (2), (3), (4), (5), (6), (7)
2.	A/YL-PH/744	Temporary shop and services (provision store) for a period of 3 years	23.6.2017	(1), (2), (3), (4), (5), (6), (7), (8)
3.	A/YL-PH/788	Temporary shop and service (daily supplies and food retail shop) for a period of 3 years	7.9.2018	(1), (2), (4), (5), (6), (7), (8), (9)

Approval Conditions

- (1) Restriction on operation time
- (2) No medium or heavy good vehicles exceeding 5.5 tonnes are allowed to be parked / stored on or enter / exit the Site at any time during the planning approval period
- (3) Submission and implementation of tree preservation and landscape proposals
- (4) Submission and implementation of drainage proposals
- (5) Submission of fire service installations proposal, and provision of fire service installations
- (6) If the planning condition was not complied with at all time during the approval period or by a specified date, the approval shall cease to have effect and be revoked without further notice
- (7) Reinstatement of the site upon expiry of the planning permission
- (8) No queueing back of vehicles to public roads / no reversing of vehicles onto or from public road during the approval period
- (9) Maintenance of the implemented drainage facilities during the approval period



Appendix V of
Application No. A/YL-PH/813

Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the Site;
- (b) resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (c) note DLO/YL, LandsD's comments that the Site comprises Government Land (GL) and Old Scheduled House Lots held under the Block Government Lease, which erection of building is allowed. However, should the development involve any rebuilding, application to his office for approval will be required. The Site is accessible from Fan Kam Road via GL. His office provides no maintenance work for the GL involved and does not guarantee any right-of-way over the GL to the Site. The Site falls within the Shek Kong Airfield Height Restriction Area (SKAHRA). The height of the proposed structure shall not exceed the relevant airfield height limit within the SKAHRA. The STT holder(s) will need to apply to his office for modification of the STT conditions where appropriate. The owner(s) of the lot without STW will need to apply to his office to permit the structure(s) to be erected or regularize any irregularities on site. 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. Applications for any of the above will be considered by LandsD acting in the capacity as 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;
- (d) follow relevant mitigation measures and requirement in the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" issued by the DEP to minimize any potential environmental nuisances;
- (e) note D of FS' comments that in consideration of the design/nature of the proposal, 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 Buildings Ordinance (BO) (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans; and
- (f) note CBS/NTW, BD's comments that if the existing structures are erected on leased land without approval of BD, they are unauthorized under the BO and should not be designated for any use under the application. Before any new building works are to be carried out on the Site, prior approval and consent from the BA should be obtained.

Otherwise, they are unauthorized building works (UBW). An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO. In this connection, 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. For UBW erected on leased land, enforcement action may be taken by the BA 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. If the Site does not abut on a street of not less than 4.5 m wide, its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage.