

Previous s.16 Applications covering the Application Site

Approved Applications

	Application No.	Zoning and OZP at the time of consideration	Proposed Use(s)/Development(s)	Date of Consideration (RNTPC/TPB)	Approval Condition(s)
1	A/DPA/YL-HT/39	“Undetermined” on Ha Tsuen DPA Plan No. DPA/YL-HT/2	Temporary Use for Ha Tsuen Heung Ten Years’ ‘Tai Ping Ching Chiu’ (7 months)	15.7.1994	1 and 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	1 and 3
3	A/HSK/20	“V” on draft Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/1	Temporary Public Vehicle Park for Private Car and Light Goods Vehicle (3 Years)	10.11.2017	4, 5, 6, 7, 9, 11 and 12

Approval Condition(s):

- 1 The provision of fire service installations
- 2 Reinstatement clause
- 3 Revocation clauses
- 4 No cutting, dismantling, cleaning, repairing, compacting, vehicle repair and workshop activity is allowed on Site at any time during the planning approval period.
- 5 No vehicle is allowed to queue back to or reverse onto/from the public road.
- 6 No vehicles exceeding 5.5 tonnes were allowed to be parked on the Site.
- 7 No vehicles without valid licences issued under the Road Traffic Ordinance were allowed to be parked/ stored on Site.
- 8 The submission of run-in/out proposal and the provision of run-in/out
- 9 The submission and implementation of a drainage proposal
- 10 The maintenance of implemented drainage facilities
- 11 The submission and implementation of a (tree preservation and) landscape proposal
- 12 The provision of fencing

**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

	Application No.	Zoning(s) and OZP at the time of consideration	Applied Use(s)/Development(s)	Date of Consideration (RNTPC/TPB)	Approval Condition(s)
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, and 11 to 16
3.	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
4.	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

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.
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

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 application site;
- (c) 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 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 is given for occupation of the remaining GL (about 166 m² subject to verification). The south-western corner of the Site affects an access to a simplified temporary land allocation for construction of Pai Lau. The act of occupation of GL without Government's prior approval is not allowed. The applicant is advised to exclude the GL at the southwestern corner of the Site. The private land (PL) of Lot No. 1007 RP in D.D.125 is covered by Short Term Waiver (STW) No. 4659 to permit structures for the purpose of temporary eating place. The Site is accessible to Ha Mei Road through GL. His office does not guarantee any right-of-way. The Site does not fall within Shek Kong Airfield Height Restriction Area. here is no Small House application approved / under processing within the "V" zone portion of the Site. Should the application be approved, the STW/STT holders will need to apply to him for modification of the STW/STT conditions where appropriate. 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. Such application(s) will be considered by LandsD acting in the capacity of the landlord 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;
- (d) 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;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads and drains;
- (f) to note the comments of the Director of Environmental Protection (DEP) that the applicant is advised to follow the relevant mitigation measures and requirements in the latest "Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites" issued by the Environmental Protection Department. The applicant is reminded that effluent discharges from the proposed use are subject to control under the Water Pollution Control Ordinance (WPCO). A discharge license under the WPCO should be obtained before a new discharge is commenced. It is the obligation of the applicant to meet all statutory requirements under relevant pollution control ordinances and provide necessary mitigation measures;
- (g) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that there is no record of approval by the Building Authority (BA) for the existing structures at the Site. If the existing structures (not being a New

Territories Exempted House) are erected on leased land without the approval of the Buildings Department (BD), they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any 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 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. Before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the application site, the prior approval and consent of the BD should be obtained, otherwise they are Unauthorized Building Works (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. If the Site does not abut on a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage;

- (h) to note the comments of the Director of Fire Services (DFS) that in consideration of the design / nature of the proposal, FSI are required. The applicant is advised to submit relevant layout plans incorporate with the proposed FSIs to his Department for approval. In addition, the applicant is also 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 FSI to be installed should be clearly marked on the layout plans. The applicant is reminded is required to comply with the BO (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;
- (i) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that the required condition record should include coloured photos showing the current condition of the drainage facilities and a layout plan indicating the locations of the photos taken. The submitted photos should cover all internal surface channels, catch pits, sand traps, manholes, terminal catch pits/manholes and the downstream discharge path as indicated on the submitted drainage proposal; 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.