

**Similar s.16 Applications within the subject “V” Zone  
on the approved Hung Shui Kiu and Ha Tsuen Outline Zoning Plan**

**Approved Applications**

|     | <b><u>Application No.</u></b> | <b><u>Zoning(s) and OZP at the time of consideration</u></b> | <b><u>Proposed Use(s)/Development(s)</u></b>  | <b><u>Date of Consideration (RNTPC/TPB)</u></b>      | <b><u>Approval Conditions</u></b> |
|-----|-------------------------------|--|---|--|-----------------------------------|
| 1.  | A/YL-HT/418                   | “V” on draft HT OZP No. S/YL-HT/9                            | Temporary Convenient Store (3 Years)  | 29.7.2005 (3 Years)                                  | 2, 3, 7, 8, 9                     |
| 2.  | A/YL-HT/560                   | “V” on draft HT OZP No. S/YL-HT/9                            | Renewal of Planning Approval for Temporary Shop and Services (Convenient Store) (3 Years) | 18.7.2008 (3 Years)                                  | 2, 5, 6, 8, 9<br>10               |
| 3.  | A/YL-HT/739                   | “V” on approved HT OZP No. S/YL-HT/10                        | Renewal of Planning Approval for Temporary Shop and Services (Convenient Store) (3 Years) | 22.7.2011 (3 Years)                                  | 1, 2, 6, 3, 4,<br>9, 10           |
| 4.  | A/YL-HT/882                   | “V” on approved HT OZP No. S/YL-HT/10                        | Temporary Shop and Services (Convenient Store) (3 Years)                                  | 7.2.2014 (3 Years)<br>(revoked on 7.2.2015)          | 1, 2, 3, 4, 8,<br>9               |
| 5.  | A/YL-HT/926                   | “V” on approved HT OZP No. S/YL-HT/10                        | Temporary Shop and Services (Convenient Store) (3 Years)                                  | 2.1.2015 (3 Years)                                   | 1, 2, 4, 6, 8,<br>9               |
| 6.  | A/YL-HT/977                   | “V” on approved HT OZP No. S/YL-HT/10                        | Proposed Temporary Shop and Services (Convenient Store) (3 Years)                         | 29.1.2016 by TPB (3 Years)<br>(revoked on 29.4.2016) | 1, 2, 3, 4, 8,<br>9               |
| 7.  | A/YL-HT/998                   | “V” on approved HT OZP No. S/YL-HT/10                        | Temporary Shop and Services (Convenient Store) (3 Years)                                  | 22.1.2016 (3 Years)                                  | 1, 2, 3, 4, 8,<br>9               |
| 8.  | A/YL-HT/1051                  | “V” on approved HT OZP No. S/YL-HT/10                        | Temporary Shop and Services (Convenient Store) (3 Years)                                  | 7.4.2017 (3 years)<br>(revoked on 7.10.2018)         | 1, 2, 3, 4, 8,<br>9, 11, 12       |
| 9.  | A/HSK/58                      | “V” on draft HSK and HT OZP No. S/HSK/1                      | Proposed Temporary Shop and Services (Convenient Store and Real Estate Agency) (3 Years)  | 6.4.2018 (3 Years)                                   | 1, 2, 4, 6,<br>9, 11              |
| 10. | A/HSK/129                     | “V” on approved HSK and HT OZP No. S/HSK/2                   | Proposed Temporary Shop and Services (Convenient Store) (3 Years)                         | 22.2.2019 (3 years)                                  | 1, 2, 4, 6, 8                     |

**Approval Conditions:**

- 1 No night-time operation and/or no operation on Sundays and public holidays.
- 2 The submission/implementation of drainage proposals; and/or provision of drainage facilities; maintenance of existing/implemented drainage facilities; and/or submission of a condition record of the existing drainage facilities.
- 3 The submission and implementation of landscaping and/or tree preservation proposals.
- 4 The submission of FSIs proposals and the provision of FSIs/implementation of FSIs proposals.
- 5 The provision of a 9-litres water type/3kg dry powder fire extinguisher in the site office.
- 6 The maintenance of the landscape planting/existing trees/vegetation.
- 7 The diversion of the existing water mains affected by the development.
- 8 Revocation clauses.
- 9 Reinstatement clause.
- 10 The replanting of the 2 missing trees in the original location on the site.
- 11 No vehicle is allowed to enter or park on the site/queue back to public road or reverse onto/from the public road at all times during the planning approval period.
- 12 No sewage discharge on site.

**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 Old Schedule Agricultural Lots held under Block Government Lease which contains the restriction that no structures are allowed to be erected without prior approval from the Government. The lot owner(s) of the lot(s) without STW will need to apply to his office for permitting the structures to be erected or to regularize any irregularities on Site, if any. No construction of New Territories Exempted Building(s) will be considered or allowed. Application(s) for any of the above will be considered by the LandsD acting in the capacity of 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. The Site is accessible to Ping Ha Road through both Government land (GL) and private lots. His office provides no maintenance work over the GL involved and does not guarantee any right-of-way to the Site;
- (d) to note 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/drains. HyD shall not be responsible for the maintenance of any access connecting the Site and Ping Ha Road;
- (e) to follow the latest 'Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites' (COP) issued by the Environmental Protection Department to minimize any potential environmental nuisance;
- (f) to note the comments of the Chief Building Surveyor/New Territories West of the Buildings Department (CBS/NTW, BD) that if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the BD, they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under the 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, demolition and land filling) are to be carried out on application site, prior approval and consent of the BD should be obtained, otherwise they are UBW. An Authorized Person should be appointed as the coordinator 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) Regulation (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; and

- (g) to note comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the structures, fire service installations (FSIs) are anticipated to be required. 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 are 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 Building Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.