

Previous s.16 Applications covering the Application Site

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s)/ Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Conditions</u>
1.	A/YL-LFS/28	Temporary open storage of marble (12 Months)	22.5.1998 (12 Months)	1, 2, 3
2.	A/YL-LFS/45	Temporary open storage of marble (12 Months)	5.11.1999 (12 Months)	1, 2, 3, 4
3.	A/YL-LFS/68	Temporary open storage of marble (3 Years)	26.10.2001 on review (12 Months) (revoked on 26.4.2002)	1, 2, 4, 5, 6, 7, 8

Approval Conditions:

1. Submission and/ or implementation of landscaping proposals.
2. Reinstatement clause.
3. Provision of flood mitigation measures and/or drainage facilities.
4. Revocation clauses.
5. The stacking height of the materials stored within 5m of the periphery of the site should not exceed the height of the boundary fence.
6. Submission and/or implementation of drainage proposals and/or provision of drainage facilities proposed.
7. Submission and implementation of environmental mitigation measures proposals.
8. Submission and provision of vehicular access arrangement to the site.

**Similar s.16 Applications within the subject “REC” zone
on the Lau Fau Shan and Tsim Bei Tsui (LFS&TBT) Outline Zoning Plan (OZP)**

Approved Applications

	<u>Application No.</u>	<u>Zoning(s) and OZP at the time of consideration</u>	<u>Proposed Use(s)/ Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Conditions</u>
1.	A/YL-LFS/307	“REC” on draft LFS&TBT OZP No. S/YL-LFS/8	Proposed Temporary Shop and Service (Retail of Family Goods) with Ancillary Office for a Period of 3 Years	9.2.2018	1,2,3,4,5,6,7

Approval Conditions

- 1 No operation between 7:30 p.m. and 9:00 a.m. is allowed on the site during the planning approval period.
- 2 The provision of drainage facilities.
- 3 Maintenance of existing drainage facilities and the submission of a condition record of the existing drainage facilities.
- 4 The submission and/or implementation of landscape proposals.
- 5 Submission of FSIs proposals and/or the provision of FSIs.
- 6 Revocation clauses.
- 7 Reinstatement clause.

Advisory Clauses

- (a) to resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (b) the Site should be kept in a clean and tidy condition at all times;
- (c) to note the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD)'s comments 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 prior approval of the Government. The Site is accessible from Deep Bay Road through both Private Land (PL) and Government Land (GL). LandsD provides no maintenance work for the GL involved and does not guarantee any right-of-way. The Site does not fall within Shek Kong Airfield Height Restriction Area. The lot owner has to apply to her office to permit the structures to be erected or regularize any irregularity 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. No construction of New Territories Exempted Building(s) will be considered or allowed. Such application will be considered by LandsD acting in the capacity of the landlord or lessor 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 premium or fee, as may be imposed by LandsD.
- (d) to note the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD)'s comments 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 application site and Deep Bay Road;
- (e) to follow the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" issued by the Environmental Protection Department to minimize any potential environmental nuisances;
- (f) to note the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, Plan D)'s comments that the Applicant is reminded to approach relevant authority/government department(s) direct to obtain the necessary approval on tree works such as felling, transplanting or pruning under lease and the importance of undertaking proper tree care for the existing tree. Useful information published by the GLTM Section, DEVB on general tree maintenance and tree risk management is available for reference in the following links:
護養樹木的簡易圖解:
http://www.greening.gov.hk/filemanager/content/pdf/tree_care/Pictorial_Guide_for_Tree_Maintenance.pdf
樹木管理手冊:
https://www.greening.gov.hk/tc/tree_care/Handbook_on_Tree_Management.html
樹木風險評估及管理安排:
https://www.greening.gov.hk/tc/tree_care/tra_arrangements.html
護養樹木 保障安全:
http://www.greening.gov.hk/filemanager/content/pdf/tree_care/Chinese_Leaflet_Big_font_size_v1_2012_03_29.pdf

減低樹木風險的樹木護養簡易圖解：

[http://www.greening.gov.hk/filemanager/content/pdf/tree_care/PictorialGuideForTreeMaintenanceToReduceTreeRisk\(eng\).pdf](http://www.greening.gov.hk/filemanager/content/pdf/tree_care/PictorialGuideForTreeMaintenanceToReduceTreeRisk(eng).pdf)

- (g) to note the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD)'s comments that before any new building works (including containers/open sheds as temporary buildings) are to be carried out on site, prior approval and consent of the BD should be obtained, otherwise they are unauthorized building works (UBW) under the Buildings Ordinance (BO). An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO. 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. 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 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 Building (Planning) Regulation at the building plan submission stage;
- (h) to note the Director of Fire Services' comments 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 plan should be drawn to scale and depicted with dimensions and nature of occupancy. Also, the location of where the proposed FSIs to be installed should be clearly marked on the layout plans. However, 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
- (i) to note the Director of Food and Environmental Hygiene (DFEH)'s comments that no Food and Environmental Hygiene Department's (FEHD) facilities will be affected and such work and operation shall not cause any environmental nuisance, pest infestation and obstruction to the surrounding. For any waste generated such activity / operation, the applicant should arrange disposal properly at her own expenses. Proper licence / permit issued by FEHD is required if there is any catering service / activities regulated by the Director of Food and Environmental Hygiene under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public.