

Similar Applications within the subject “V” Zone on the OZP

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC)</u>	<u>Approval Conditions</u>
1	A/YL-TYST/855	Temporary Public Vehicle Park for Private Car and Light Goods Vehicle and Shop and Services (Real Estate Agency) for a Period of 3 Years	22.9.2017	(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12)
2	A/YL-TYST/912	Proposed Temporary Shop and Services (Motor-vehicle Showroom) for a Period of 3 Years	7.9.2018	(1), (2), (3), (6), (7), (8), (9), (10), (11), (12), (13)

Approval Condition(s):

- (1) No night-time operation of the real estate agency during specific time limit is allowed on the site.
- (2) No vehicle without valid licences is allowed to be parked/stored on the site.
- (3) No medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, is allowed to be parked/stored on or enter/exit the site.
- (4) A notice should be posted at a prominent location of the site at all times to indicate that only private car and light goods vehicle not exceeding 5.5 tonnes, is allowed to be parked on the site.
- (5) No open storage activity is allowed on the site.
- (6) No car beauty/car washing/repairing/dismantling/breaking/fixing/maintenance/cleansing/paint-spraying/recycling/packaging workshop activities are allowed on the site.
- (7) No vehicle is allowed to queue back to or reverse onto/from public road.
- (8) Maintenance of existing/implemented drainage facilities and/or submission of a record of the existing drainage facilities.
- (9) Submission and/or implementation of (accepted) landscape and/or tree preservation proposals.
- (10) Submission and implementation of fire service installations proposal.
- (11) Revocation of planning approval for non-compliance with conditions by a specified date/at any time during the approval period.
- (12) Reinstatement of the application site upon expiry of planning permission.
- (13) Submission of (revised) drainage proposals and/or provision/implementation of (accepted) drainage facilities/proposal.

Advisory clauses

- (a) to resolve any land issues relating to the development with the concerned owner(s) of the application site (the Site);
- (b) the planning permission is given to the development/uses under application. It does not condone any other development/use not covered by the application;
- (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 Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. The Site is accessible from Shan Ha Road via Government land (GL). Her office does not provide maintenance work for GL involved and does not guarantee any right-of-way over the GL to the Site. The lot owner(s) will need to apply to her office to permit the structures to be erected or regularise any irregularities on site, if any. 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. Application(s) for any of the above will be considered by her department 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 her department;
- (d) to note the comments of the Commissioner for Transport that the land status of the access road/path/track leading to the Site from Shan Ha Road should be checked with the lands authority. The management and maintenance responsibilities of the access road/path/track should be clarified and consulted with the relevant management and maintenance authorities accordingly. The applicant is reminded that sufficient space should be provided within the Site for manoeuvring of vehicles. In addition, no parking of vehicles on public road is allowed;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department that adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads/drains. His department shall not be responsible for the maintenance of any access connecting the Site and Shan Ha Road;
- (f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department on the submitted drainage proposal that the invert levels of the proposed catchpits should be shown on the drainage plan for reference. The existing drainage facilities, to which the stormwater of the development from the Site would discharge, should be indicated on plan (i.e. before reaching SIH1001328). The relevant connection details should be provided for comment. The location and details (i.e. cross section) of the proposed hoarding/peripheral wall should be shown on the proposed drainage plan. The development should neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc. You should consult DLO/YL, LandsD and seek consent from the relevant owners for any drainage works to be carried out outside your lot boundary before commencement of the drainage works;
- (g) to note the comments of the Director of Environmental Protection that the relevant

mitigation measures and requirements in the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” issued by the Environmental Protection Department should be followed to minimise any potential environmental nuisances;

- (h) to note the comments of the Director of Fire Services that in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. Relevant layout plans incorporated with the proposed FSIs should be submitted 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 also be clearly marked on the layout plans. 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 comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that the existing structures (not being a New Territories Exempted House) are erected on leased land without approval of BD, they are unauthorised building works (UBW) under 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 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 BO. Before any new building works (including containers/open sheds as temporary buildings, demolition and land filling) are to be carried out on the Site, prior approval and consent of BD should be obtained, otherwise they are UBW. An Authorised 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 4.5 m wide, its permitted development intensity shall be determined under Regulation 19(3) of B(P)R at the building plan submission stage.