

**Appendix II of RNTPC
Paper No. A/YL-PH/846**

Previous S.16 Applications covering the Site

Approved Applications

	<u>Application No.</u>	<u>Proposed Use(s)</u>	<u>Date of Consideration (RNTPC)</u>	<u>Approval Condition(s)</u>
1.	A/YL-PH/91	Open storage of vehicles for repair	6.6.1997	(2), (11), (12), (13)
2.	A/YL-PH/133*	Temporary open storage of wrecked vehicles (cars and vans) for import/export with cargo handling operation for a period of 12 month	7.11.1997	(1), (2), (3)
3.	A/YL-PH/142	Open storage of construction machinery for re-export with ancillary workshop	21.11.1997	(1), (2)
4.	A/YL-PH/229*	Temporary container vehicle/trailer park for a period of 12 months	16.10.1998	(1), (2), (3)
5.	A/YL-PH/249*	Temporary open storage of wrecked vehicles (cars and vans) for import/export with cargo handling operation for a period of 12 months	11.12.1998	(1), (2), (3)
6.	A/YL-PH/367	Temporary container trailer/tractor park for a period of 3 years	18.5.2001 [Revoked on 18.2.2002]	(1), (2), (4), (5)
7.	A/YL-PH/384	Temporary open storage of vehicles for a period of 3 years	21.12.2001 [Revoked on 21.6.2002]	(1), (2), (4)
8.	A/YL-PH/400	Temporary container trailer/tractor park for a period of 3 years	14.6.2002	(1), (2), (4)
9.	A/YL-PH/432	Temporary open storage of vehicles for stripping/breaking or repair	27.6.2003 [Revoked on 27.3.2004]	(1), (2), (4)

	<u>Application No.</u>	<u>Proposed Use(s)</u>	<u>Date of Consideration (RNTPC)</u>	<u>Approval Condition(s)</u>
10.	A/YL-PH/558	Temporary container trailer/tractor park for a period of 3 years	28.3.2008	(1), (2), (4), (6), (7), (8), (9), (10)
11.	A/YL-PH/619	Renewal of planning approval for temporary container trailer/tractor park for a period of 3 years	15.4.2011	(1), (2), (4), (6), (7), (8), (9), (10)
12.	A/YL-PH/690	Temporary container trailer/tractor park for a period of 3 years	27.6.2014	(1), (2), (4), (6), (7), (8), (9), (10)
13.	A/YL-PH/748	Renewal of planning approval for temporary container trailer/tractor park use for a period of 3 years	23.6.2017	(1), (2), (4), (6), (7), (8), (9), (10)

* Applications straddles the "OS" zone and previous "Green Belt" zone

Approval Conditions

- (1) The provision/ submission/ implementation/ maintenance of drainage facilities/ proposal/ stormwater disposal facilities/ records of existing drainage facilities.
- (2) The submission/ implementation/ maintenance of landscape proposal/ plantings.
- (3) The reinstatement of the application site upon expiry of the planning permission.
- (4) Revocation if planning conditions not complied with by specified deadline or during approval period.
- (5) Provision of paving and fencing for the application site.
- (6) The submission/ implementation of fire service installations proposal.
- (7) Restriction on operation hours.
- (8) No dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities.
- (9) No vehicle without valid licences issued under the Road Traffic (Restriction and Licensing of Vehicles) Regulations are allowed to be parked/ stored on the site.
- (10) No reversing of vehicles into or out of the site/ all reversing manoeuvring of vehicles for operations should be carried out inside the site.
- (11) Paving of the site.
- (12) Provision of sewage treatment and disposal facilities.
- (13) No paint spraying activity.

Similar Application within the same “OS” Zone on the Pat Heung Outline Zoning Plan

Approved Applications

	<u>Application No.</u>	<u>Proposed Use</u>	<u>Date of Consideration (RNTPC)</u>	<u>Approval Conditions</u>
1.	A/YL-PH/804	Proposed Temporary Wholesale Trade (Food) for a Period of 5 Years	12.4.2019	(1), (2), (4), (5)

Approval Conditions

- (1) Restriction on operation time.
- (2) No vehicle is allowed to queue back to or reverse onto/from public road at any time.
- (3) Submission and implementation / maintenance of drainage proposal
- (4) Submission and implementation of fire service installations proposal
- (5) Revocation of planning approval for non-compliance with conditions by a specified date or during the planning approval period

Advisory Clauses

- (a) note DLO/YL, LandsD's comments the Site comprises Government Land and Old Schedule Agricultural Lots 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. The STW and STT holder(s) will need to apply to his office for modification of the STW and STT conditions where appropriate. The owner(s) of the lot(s) without STW will need to apply to his office to permit structure(s) to be erected or regularize any irregularities 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. 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 rent or fee, as may be imposed by the LandsD;
- (b) note C for T's comments that the Site is connected to the public road network via a section of a local access road which is not managed by Transport Department. The land status of the local access road should be checked with the LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities according;
- (c) note CHE/NTW, HyD's comments that HyD shall not be responsible for the maintenance of any access connecting the Site and Fan Kam Road. Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (d) follow 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 DEP;
- (e) note CBS/NTW, BD's comments that if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the BA, 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 the prevailing 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 the Site, prior approval and consent of the BA should be obtained, otherwise they are 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. The Site does not abut on a specified street of not less than 4.5m wide and its permitted development

intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage; and

- (f) note D of FS's 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 FSI 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 BO (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.