

Previous s.16 Application covering the Application Site

Approved Application

<u>No.</u>	<u>Application No.</u>	<u>Proposed Uses</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Conditions</u>
1.	A/YL-ST/557	Proposed Temporary Public Vehicle Park for Private Car for a Period of 3 Years	20.9.2019 Approved by RNTPC (3 years)	All

Approval Conditions

1. No operation during specific time periods and days
2. No vehicles without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site
3. A notice should be posted at a prominent location of the site to indicate that only private cars as defined in the Road Traffic Ordinance are allowed to be parked/stored on the site
4. No vehicle is allowed to queue back to public road or reverse onto/from the site
5. The provision of boundary fencing
6. The submission and implementation of drainage proposal
7. The submission and implementation of fire service installations proposal
8. Revocation Clause

**Similar Applications within the same “V” zone
on the approved San Tin OZP No. S/YL-ST/8**

Approved Applications

<u>No.</u>	<u>Application No.</u>	<u>Proposed Use(s)/ Development(s)</u>	<u>Date of Consideration</u>	<u>Approval Condition(s)</u>
1.	A/YL-ST/320*	Temporary Sale Office for Second-hand Private Vehicles for a Period of 2 Years	26.1.2007 Approved by TPB on Review (12 Months) [Revoked on 26.10.2007]	All

*revoked application

Approval Conditions

1. No vehicle repair activities should be undertaken on the site
2. Submission and implementation of landscaping proposal
3. Submission of drainage proposal and provision of drainage facilities proposed
4. Submission of proper run-in proposal and provision of proper run-in
5. Provision of a fire extinguisher

Rejected Applications

<u>No.</u>	<u>Application No.</u>	<u>Proposed Use(s)/ Development(s)</u>	<u>Date of Consideration (by RNTPC/TPB)</u>	<u>Rejection reason(s)</u>
1.	A/YL-ST/106	Temporary Open Storage of Pre-cast Façade Units and Building Materials for a Period of 12 Months	5.11.1999 Rejected by RNTPC	1-4
2.	A/YL-ST/141	Temporary Container Tractor/Trailer Park for a Period of 3 years	8.9.2000 Rejected by RNTPC	1-4
3.	A/YL-ST/274	Temporary Container Tractor/Trailer Park for a period of 3 years	19.11.2004 Rejected by RNTPC	1 and 5

Rejection Reasons

1. The development is not in line with the planning intention of the zone
2. The development is not compatible with the surrounding residential development including village settlements
3. There is insufficient information in the submission to demonstrate that the development would not have adverse impacts on the surrounding areas
4. Approval of the application would set an undesirable precedent for other similar applications within the “V” zones
5. The development was not in line with the TPB Guidelines No. 13C for “Application for Open Storage and Port Back-up Uses”

Recommended Advisory Clauses

- (a) to resolve any land issue relating to the development with the concerned owner(s) of the application site;
- (b) to note DLO/YL, LandsD's comments that the Site is accessible to San Tin Tsuen Road through GL and private land. His office provides no maintenance work for the GL involved and does not guarantee any right-of-way. The lot owner(s) will need to apply to his 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. Applications for any of the above 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;
- (c) to note C for T's comments that the Site is connected to the public road network via a section of private lot(s) which is not managed by Transport Department (TD). As there is no information about the vehicular access at the private lot(s) to the Site, the applicant should arrange by themselves if necessary, and should seek the relevant land authority on the right of using the vehicular access;
- (d) to note CHE/NTW, HyD's comments that he shall not be responsible for the maintenance for any access connecting the Site and San Tin Tsuen Road. Adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads/drains;
- (e) to note D of FS's comments that in consideration of the design/nature of the proposal, 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 applicant is also advised on the following points: (i) the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; (ii) the location of where the proposed FSIs to be installed should be clearly marked on the layout plans; and (iii) good practice guidelines for open storage should be adhered to (**Appendix IV**). To address approval condition (g) on the provision of fire extinguisher(s), the applicant is advised to submit a valid fire certificate (FS 251) to his Department for approval. The applicant is reminded that 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;
- (f) to note CBS/NTW, BD's comments that before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Site, prior approval and consent of the BD should be obtained, otherwise they are unauthorized building works (UBW) under the BO. An Authorized Person should be appointed as the co-ordinator 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) Regulation 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 Building (Planning) Regulation at the building plan submission stage;

- (g) to note CE/MN, DSD's comments that the applicant shall submit a drainage submission to demonstrate how he will collect, convey and discharge rain water falling onto or flowing to his site. A clear drainage plan showing full details of the existing drains and the proposed drains (e.g. cover and invert levels of pipes/catchpits/outfalls and ground levels justifying waterflow etc.) with supporting design calculations and charts should be included. (For preparation of the drainage proposal, the Guideline on preparation of the drainage proposal is available in DSD homepage at http://www.dsd.gov.hk/EN/Files/Technical_Manual/dsd_guideline/Drainage_Submission.pdf). The applicant is reminded that approval of the drainage proposal must be sought prior to the implementation of drainage works on the Site. After completion of the required drainage works, the applicant shall provide DSD a set of record photographs showing the completed drainage works with corresponding photograph locations marked clearly on the approved drainage plan for reference. DSD will inspect the completed drainage works jointly with the applicant with reference to the set of photographs. The applicant shall ascertain that all existing flow paths would be properly intercepted and maintained without increasing the flooding risk of the adjacent areas. No public sewerage maintained by CE/MN, DSD is currently available for connection. For sewage disposal and treatment, agreement from DEP shall be obtained. The applicant is reminded that the proposed drainage works as well as the site boundary should not cause encroachment upon areas outside his jurisdiction. The applicant should consult DLO/YL, LandsD regarding all the proposed drainage works outside the site boundary in order to ensure the unobstructed discharge from the Site in future. All the proposed drainage facilities should be constructed and maintained by the applicant at his own cost. The applicant should ensure and keep all drainage facilities on site under proper maintenance during occupancy of the Site; and
- (h) the applicant is advised to follow the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" to minimize potential environmental impacts on the surrounding areas.