

Previous s.16 Applications at the Application Site

Approved Applications

<u>No.</u>	<u>Application No.</u>	<u>Proposed Use(s)/ Development(s)</u>	<u>Date of Consideration (by RNTPC/TPB)</u>	<u>Approval Condition(s)</u>
1.	A/YL-ST/180*	Temporary Container Trailer/Tractor Park and Open Storage of Construction Materials for a Period of 3 Years	21.12.2001 Approved by RNTPC (3 years) <i>[revoked on 21.12.2002]</i>	1-6 & 12
2.	A/YL-ST/240	Temporary Container Trailer/Tractor Park and Open Storage of construction Materials for a Period of 3 Years	11.7.2003 Approved by RNTPC (3 years)	1-5
3.	A/YL-ST/323*	Temporary Public Vehicle Park (including container vehicles) and Open Storage of Construction Materials for a Period of 3 Years	17.11.2006 Approved by RNTPC (3 years) <i>[revoked on 17.2.2009]</i>	1, 2, 4, 5, 7 & 9-10
4.	A/YL-ST/352	Temporary Public Vehicle Park (excluding container vehicle) for a Period of 3 Years	23.1.2009 Approved by RNTPC (3 years)	1-4, 7, 8, 11 & 13
5.	A/YL-ST/407	Temporary Public Vehicle Park (excluding container vehicle) for a Period of 3 Years	16.12.2011 Approved by RNTPC (3 years)	1-5, 7-11 & 14
6.	A/YL-ST/456	Temporary Public Vehicle Park (excluding container vehicle) for a Period of 3 Years	2.1.2015 Approved by RNTPC (3 years)	1-5, 7-11 & 14
7.	A/YL-ST/513	Renewal of Planning Approval of Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years	22.12.2017 Approved by RNTPC (3 years)	1-5, 7-11 & 14-16

\*Denotes permission revoked

Approval Conditions

- (1) Submission and implementation of landscape proposals/tree preservation proposal/compensatory planting proposal / Maintenance of existing trees and landscape plantings on the site.
- (2) Submission and implementation of drainage proposals/ Submission of record/as-built drainage plans and sections and photographic records of existing drainage facilities / Maintenance of existing drainage facilities.
- (3) Provision/Maintenance of fencing/paving of the site.
- (4) Revocation clause.
- (5) Reinstatement clause.
- (6) Setting back the eastern boundary of the site abutting Lok Ma Chau Road to avoid encroachment on the gazette alignment of the Sheung Shui Lok Ma Chau Spur Line.
- (7) No vehicles without valid licences issues under the Road Traffic Ordinance allowed to be parked /stored on the site.
- (8) No car washing and/or vehicle repair workshop/dismantling/paint spraying or other workshop activity allowed on the site.

- (9) Provision of 9-litre water type/3kg dry powder fire extinguisher in the site office/fire service installations on site/ Submission and implementation of fire services installation proposals.
- (10) Submission and provision of proper run-in proposal/ Maintenance of existing run-in connecting Lok Ma Chau Road.
- (11) No vehicle exceeding 5.5 tonnes including medium and heavy goods vehicles and container vehicles/ no medium or heavy vehicle goods vehicle (i.e. exceeding 5.5 tonnes) including container trailer/tractor allowed to be parked /stored on the site.
- (12) Stacking height of materials stored within 5 metres of the periphery of the site not exceeding the height of boundary fencing.
- (13) Submission and provision of proper footpath.
- (14) Posting notice at a prominent location of the site to indicate that no medium or heavy goods vehicle (i.e. exceeding 5.5 tonnes) including container trailers/tractors as defined in the Road Traffic Ordinance allowed to be parked/stored on the site.
- (15) No queuing and no reverse movement of vehicles allowed on public road.
- (16) Submission and implementation of layout plan of the vehicle park.

**Rejected Applications**

<b><u>No.</u></b>	<b><u>Application No.</u></b>	<b><u>Proposed Use(s)/ Development(s)</u></b>	<b><u>Date of Consideration (by RNTPC/TPB)</u></b>	<b><u>Rejection Reasons</u></b>
1.	A/YL-ST/155	Proposed Temporary Open Storage of Construction Machinery and Materials for a Period of 3 Years	22.12.2000 Rejected by TPB upon review	1 & 2

**Rejection Reasons**

- (1) Insufficient information to demonstrate the development would not have adverse drainage impact on the surrounding areas.
- (2) Involving felling of trees and no replanting proposal or information to demonstrate that the proposed development would have no adverse landscape impact on the area.



**Similar s.16 Applications within the Same "U" Zone on the  
Approved San Tin Outline Zoning Plan 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 (by RNTPC/TPB)</u>	<u>Approval Condition(s)</u>
1.	A/YL-ST/357	Renewal of Planning Approval for Temporary Public Car Park (for Private Cars) with Ancillary Facilities (Including a Refreshment Kiosk) under Application No. A/YL-ST/308 for a Period of 3 Years	13.2.2009 Approved by RNTPC (3 years)	1-9 & 10
2.	A/YL-ST/380	Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 years	18.12.2009 Approved by RNTPC (3 years)	1, 2, 4-9 & 10
3.	A/YL-ST/392	Temporary Container Vehicle Park, Open Storage of Containers and Public Car Park for a Period of 3 Years	28.1.2011 Approved by RNTPC (3 years)	1, 2, 4, 6, 7-12
4.	A/YL-ST/393	Temporary Public Vehicle Park (including Private Cars, Container Vehicles and Heavy Goods Vehicles) with Ancillary Facilities (including Vehicle Repair Area, Site Offices and Canteen) and Storage of Metal Ware and Construction Material for a Period of 3 Years	28.1.2011 Approved by RNTPC (3 years)	1-4, 7, 9, 10-11 & 13
5.	A/YL-ST/394	Renewal of Planning Approval for Temporary Public Car Park with Ancillary Office for a Period of 3 Years	28.1.2011 Approved by RNTPC (3 years)	1-10
6.	A/YL-ST/400*	Proposed Temporary Public Vehicle Park (for Private Cars Only) and Landscaped Area for a Period of 3 Years	1.4.2011 Approved by RNTPC (3 years) <i>[revoked on 1.1.2013]</i>	1-2, 4-10 & 13
7.	A/YL-ST/409	Renewal of Planning Approval for Temporary Public Car Park (for Private Cars) with Ancillary Facilities (Including a Refreshment Kiosk) under Application No. A/YL-ST/357 for a Period of 3 Years	20.1.2012 Approved by RNTPC (3 years)	1-9, 13 & 14
8.	A/YL-ST/427	Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years	7.12.2012 Approved by RNTPC (3 years)	1-2, 4-10, 13 & 15
9.	A/YL-ST/435*	Temporary Public Vehicle Park (For Private Cars and Lok Ma Chau - Huanggang Cross Boundary Shuttle Buses Only) with Ancillary Facilities (including a refreshment kiosk) for a Period of 3 Years	16.8.2013 Approved by RNTPC (3 years) <i>[revoked on 16.7.2015]</i>	1-6, 8-9 & 13

No.	Application No.	Proposed Use(s)/ Development(s)	Date of Consideration (by RNTPC/TPB)	Approval Condition(s)
10.	A/YL-ST/441	Renewal of Planning Approval for Temporary "Container Vehicle Park, Open Storage of Containers and Public Car Park" for a Period of 3 Years	3.1.2014 Approved by RNTPC (3 years)	1-2, 4 & 6-12
11.	A/YL-ST/442	Temporary Public Vehicle Park (including private cars, container vehicles & heavy goods vehicles) with Ancillary Facilities (including vehicle repair area, site offices & canteen), Storage of Metal Ware & Construction Material & Cargo Handling & Forwards Facilities for a Period of 3 Years	4.4.2014 Approved by RNTPC (3 years)	1-2, 4 & 7-11
12.	A/YL-ST/444	Temporary Public Car Park with Ancillary Office for a Period of 3 Years	9.5.2014 Approved by RNTPC (3 years)	1-2, 4-7, 9, 10 & 15
13.	A/YL-ST/448	Temporary Public Vehicle Park (for Private Cars Only) and Landscaped Area for a Period of 3 Years	12.9.2014 Approved by RNTPC (3 years)	1-2 & 4-9
14.	A/YL-ST/463	Temporary Public Vehicle Park (for private cars only) and Landscaped Area for a Period of 3 Years	22.5.2015 Approved by RNTPC (3 years)	1-7, 9, 10, 13 & 14
15.	A/YL-ST/497	Renewal of Planning Approval for Temporary Container Vehicle Park, Open Storage of Containers and Public Car Park for a Period of 3 Years	9.12.2016 Approved by RNTPC (3 years)	1-2, 4 & 6-12
16.	A/YL-ST/501	Renewal of Planning Approval for Temporary Public Vehicle Park (including Private Cars, Container Vehicles and Heavy Goods Vehicles) and Ancillary Facilities (including Vehicle Repair Area, Site Offices and Canteen), Storage of Metal Ware and Construction Material, and Cargo Handling and Forwarding Facilities for a Period of 3 Years	17.3.2017 Approved by RNTPC (3 years)	1-2, 4 & 7-11
17.	A/YL-ST/523	Renewal of Planning Approval for Temporary Public Vehicle Park (for Private Cars and Lok Ma Chau - Huanggang Cross Boundary Shuttle Buses Only) with Ancillary Facilities (including a Refreshment Kiosk) for a Period of 3 Years	18.5.2018 Approved by RNTPC (3 years)	1-7, 8-10 & 13-14
18.	A/YL-ST/530	Temporary Public Car Park with Ancillary Office for a Period of 3 Years	5.10.2018 Approved by RNTPC (3 years)	1-2, 5-10 & 13
19.	A/YL-ST/543	Temporary Open Storage of General Goods and Public Vehicle Park (Private Cars only) with Ancillary Site	31.5.2019 Approved by RNTPC (3 years)	1-2, 4, 6-7 & 9-11

		Office for a Period of 3 Years		
20.	A/YL-ST/549	Proposed Temporary Public Vehicle Park (excluding Container Vehicle) for a Period of 3 Years	5.7.2019 Approved by RNTPC (3 years)	1-2, 6-7, 9, 10 & 13
21.	A/YL-ST/563	Renewal of Planning Approval for Temporary Container Vehicle Park, Open Storage of Containers and Public Car Park for a Period of 3 Years	17.1.2020 Approved by RNTPC (3 years)	1, 4, 6, 7, 9, 10, 11
22.	A/YL-ST/568	Renewal of Planning Approval for Temporary Public Vehicle Park (including Private Cars, Container Vehicles and Heavy Goods Vehicles) and Ancillary Facilities (including Vehicle Repair Area, Site Offices and Canteen), Storage of Metal Ware and Construction Material, and Cargo Handling and Forwarding Facilities for a Period of 3 Years	26.5.2020 Approved by RNTPC (3 years)	1-2, 4, 7, 9-11
23.	A/YL-ST/580	Temporary Open Storage of General Goods, Construction Materials and Machineries and Public Vehicle Park (Excluding Container Vehicles) with Ancillary Site Office and Guard Room for a Period of 3 Years	18.12.2020 Approved by RNTPC (3 years)	1, 5-7 & 9-11

\* Denotes permission revoked

#### Approval Conditions

- (1) Revocation clause.
- (2) Reinstatement clause.
- (3) Setting back of the boundary of the application site/the exiting run-in/out.
- (4) No vehicles without valid licences issued under the Road Traffic Ordinance allowed to be parked/stored on the site.
- (5) No medium or heavy goods vehicles (i.e. exceeding 5.5 tonnes)/Only private car as defined in the Road Traffic Ordinance or container trailers/tractors allowed to be parked/stored on the site/ No vehicle (excluding private car) allowed to access the site.
- (6) No car washing, vehicle repair, dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities allowed on the site/ No vehicle allowed to queue back to or reverse onto/from the site/on public road.
- (7) Provision of boundary fencing on the site/ Maintenance of existing paving and boundary fencing on the site.
- (8) Submission and implementation of tree preservation and landscape proposal/ Maintenance of all landscape planting/vegetation within the site.
- (9) Submission and implementation of drainage proposal / Maintenance of existing drainage facilities on the site / Submission of as-built drainage plan/condition record of the existing drainage facilities approved.
- (10) Submission and implementation of fire service installations/ Provision of fire extinguisher(s).
- (11) No night-time operation/ no operation at specified hours/parking of container vehicles and heavy goods vehicles, vehicle repairing activities, and cargo handling and forwarding services allowed on the site.
- (12) Stacking height limitation.

- (13) Posting notice at a prominent location of the site to indicate that no medium or heavy goods vehicle (i.e. exceeding 5.5 tonnes) including container trailer/tractor/only private car as defined in the Road Traffic Ordinance allowed to be parked/stored on the site.
- (14) Submission and implementation of buffer area proposal/ Maintenance of the buffer area.
- (15) Submission and implementation of parking layout plan.

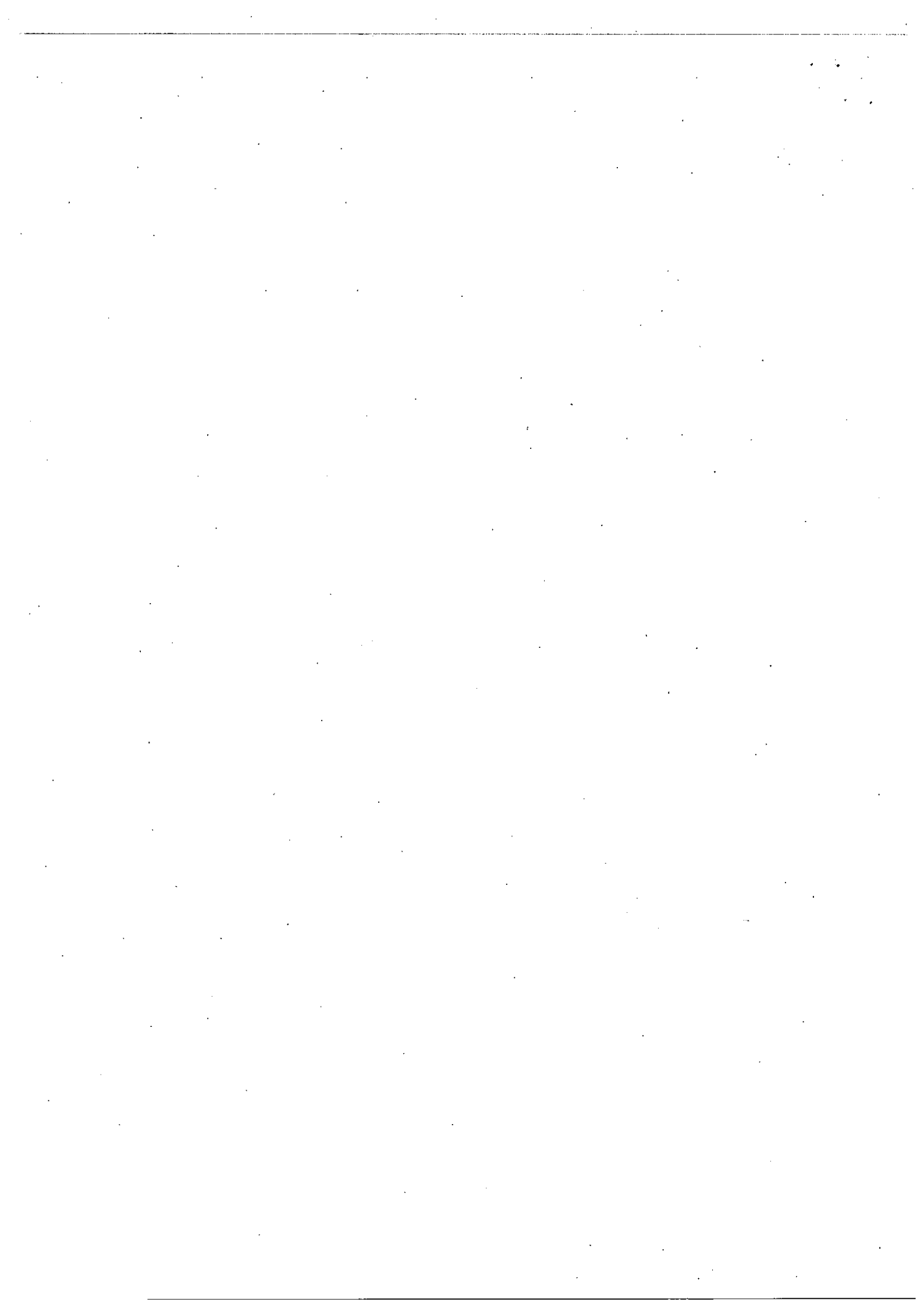


**Rejected Application**

<b><u>No.</u></b>	<b><u>Application No.</u></b>	<b><u>Proposed Use(s)/ Development(s)</u></b>	<b><u>Date of Consideration (by RNTPC/TPB)</u></b>	<b><u>Rejection Reason(s)</u></b>
1.	A/YL-ST/417	Proposed Temporary Public Vehicle Park (for Private Cars Only) for a Period of 3 Years	10.5.2013 Rejected by RNTPC	1-4

**Rejection Reasons**

- (1) Being not in line with the planning intention of the "Green Belt" ("GB") zone.
- (2) Being not in line with TPB PG-No. 10, causing degradation to natural landscape, and applicant's failure to demonstrate no adverse landscape, traffic and drainage impacts.
- (3) Being not complying with TPB PG-No.13E as no previous planning approval at the extended "GB" portion and there were adverse departmental comments and public objections.
- (4) Approval would set an undesirable precedent for other similar applications within the "GB" zone.



**Recommended Advisory Clauses**

- (a) To resolve any land issues related to the temporary use with the concerned owner(s) of the application site (the Site);
- (b) the permission is given to the development uses/structures under application. It does not condone any other development/uses and structures which currently occur on the Site but not covered by the application. The applicant shall take immediate action to discontinue such development/ uses and remove such structures not covered by the permission;
- (c) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
  - (i) the Site comprises Government Land (GL) and an Old Schedule Agricultural Lot held under Block Government Lease which contains the restriction that no structures are allowed to be erected without prior approval of the Government. The GL portion of the Site is covered by a Short Term Tenancy (STT) No. 3242 for the purpose of “Temporary Public Vehicle Park (Excluding Container Vehicle)”. The private land of Lot No. 244 S.B. RP in D.D. 99 is covered by Short Term Waiver (STW) No. 3781 to permit structures for the purpose of “Ancillary Office to Public Vehicle Park (Excluding Container Vehicle)”; and
  - (ii) the STT/STW holders will need to apply to his office for modification of the STT/STW conditions where appropriate. Given the applied 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 of the landlord or lessor at its sole discretion and there is no guarantee that such applications will be approved. If such applications are approved, it will be subject to such terms and conditions, including among others the payment of rent or fee, as may be imposed by LandsD;
- (d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that adequate drainage measure should be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (e) to note the comments of the Chief Engineer/Railway Development 2-2, Railway Development Office (CE/RD2-2, RDO, HyD) that part of the Site falls within the Area of Influence (AOI) of the proposed Northern Link (NOL). Although the programme and the alignment of the NOL are still under review, those areas within the AOI may be required to be vacated at the time for the construction of the NOL and subject to nuisance, such as noise and vibration, of the NOL. The applicant should be satisfied with the surrounding condition of nuisance taking into account the future construction, operation and maintenance of the NOL.
- (f) to note the comments of the Director of Environmental Protection to follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” to minimize potential environmental impacts on the surrounding areas;
- (g) to notes the comments of the Chief Engineer/Mainland North, Drainage Services

Department (CE/MN, DSD) as follows:

- (i) to provide DSD with a set of latest record photographs showing the completed drainage works (including the internal condition of the drains) with the corresponding photograph locations marked clearly on the approved drainage plan. DSD will inspect the completed drainage works jointly with the applicant with reference to the set of photographs;
  - (ii) the applicant shall ascertain that all existing flow paths would be properly intercepted and maintained without increasing the flooding risk of the adjacent areas;
  - (iii) the applicant is reminded that the drainage proposal/ works as well as the site boundary should not cause encroachment upon areas outside his jurisdiction;
  - (iv) no public sewerage maintained by CE/MN, DSD is currently available for connection. For sewage disposal and treatment, agreement from DEP shall be obtained;
  - (v) the applicant should consult DLO/YL, LandsD regarding all the drainage works outside the lot boundary in order to ensure the unobstructed discharge from the Site in future; and
  - (vi) the applicant should ensure and keep all drainage works on the Site at his own cost under proper maintenance at all times;
- (h) to note the comments of the Director of Fire Services (D of FS) that:
- (i) the existing fire service installations (FSIs) implemented on the Site should be maintained in efficient working order at all times by the applicant;
  - (ii) the installation/ maintenance/ modification/ repair work of FSIs shall be undertaken by an Registered Fire Service Installation Contractor (RFSIC). The RFSIC shall after completion of the installation/ maintenance/ modification/ repair work issue to the person on whose instruction the work was undertaken a certificate (FS 251) and forward a copy of the certificate to D of FS; and
  - (iii) 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;
- (i) to notes the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) there is no record of approval by the Building Authority (BA) for the structures existing at the Site;
  - (ii) if the existing structures are erected on leased land without approval of BD (not being New Territories Exempted Houses), they are unauthorized under the Buildings Ordinance (BO) and should not be designated for any approved use under the application;

- (iii) before any new building works (including site office and shroff as temporary buildings) are to be carried out on the Site, prior approval and consent of BA should be obtained, otherwise they are Unauthorized Building Works (UBW). An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with BO;
  - (iv) for UBW erected on leased land, enforcement action may be taken by BA 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;
  - (v) 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; and
  - (vi) 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 B(P)R at the building plan submission stage; and
- (j) to note the comments of the Project Manager (West), Civil Engineering and Development Office (PM(W), CEDD) that the proposed access point from the Site to Lok Ma Chau Road will fall within the works limit of the project "Development of Lok Ma Chau Loop: Main Works Package 1" which is tentatively scheduled for implementation of works in 2021 for completion beyond the end period of the application. The applicant is required to make necessary arrangement to avoid affecting the construction works of the above project.

