

Previous s.16 Application covering the Application Site

Approved Application

	<u>Application No.</u>	<u>Proposed Uses</u>	<u>Zoning</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Condition(s)</u>
1.	A/YL-LFS/281	Temporary Public Vehicle Park (Private Car and Light Goods Vehicle) (3 Years)	V	22.1.2016	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11

Approval Conditions:

1. The submission and implementation of landscape proposal.
2. The implementation of the accepted drainage proposal.
3. The implemented drainage facilities shall be maintained at all times.
4. The provision of boundary fencing on the site.
5. No vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site.
6. No night time operation.
7. No vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity is allowed on the site.
8. Only private cars and light goods vehicle under 5.5 tonnes, as defined in the Road Traffic Ordinance, are allowed to enter/be parked on the site.
9. A notice shall be posted at a prominent location of the site to indicate that only private cars and light goods vehicle under 5.5 tonnes, as defined in the Road Traffic Ordinance, are allowed to enter/be parked on the site.
10. A notice shall be posted at a prominent location of the Site to remind drivers on pedestrian safety on the access road to the site.
11. No vehicle is allowed to queue back to or reverse onto/from public road.
12. Revocation clauses.
13. Reinstatement clause.

**Similar s.16 Applications for Temporary Public Vehicle Park
within the Same “V” Zone on the Lau Fau Shan and Tsim Bei Tsui OZP**

Approved Applications

	<u>Application No.</u>	<u>Proposed Uses</u>	<u>Zoning</u>	<u>Date of Consideration (RNTPC)</u>	<u>Approval Conditions</u>
1.	A/YL-LFS/53	Temporary Public Vehicle Park for Private Cars, Light Goods Vehicles, Coaches and a Snack-bar for a Period of 3 Years	V, R(C)	30.6.2000 (Revoked on 30.3.2001)	1, 3, 12, 14, 15, 26, 27
2.	A/YL-LFS/84	Temporary Public Car Parking for Private Cars, Light Goods Vehicles, Motor Coach and Snack-bar for Car Park for a Period of 3 Years	V, R(C)	10.5.2002 (Revoked on 1.2.2003)	2, 3, 4, 9, 14, 15, 26, 27
3.	A/YL-LFS/94	Temporary Public Car Parking for Private Cars, Light Goods Vehicles and Motor Coach for a Period of 3 Years	V, R(C)	25.10.2002	1, 3, 4, 9, 14, 15, 26, 27
4.	A/YL-LFS/139	Temporary Public Car Park for Private Cars, Light Goods Vehicles and Motor Coach for a Period of 3 Years	V, R(C)	23.12.2005 (Revoked on 28.2.2006)	1, 6, 8, 10, 17, 20, 26, 27
5.	A/YL-LFS/145	Temporary Public Car Park for Private Cars, Light Goods Vehicles and Motor Coach for a Period of 3 Years	V, R(C)	3.11.2006 (1 year) (Revoked on 3.6.2007)	6, 8, 9, 17, 19, 26, 27
6.	A/YL-LFS/170	Temporary Public Car Park for Private Cars, Light Goods Vehicles and Motor Coaches for a Period of 3 Years	V, R(C)	4.1.2008 (1 year) (Revoked on 4.7.2008)	2, 5, 6, 8, 10, 17, 18, 21, 26, 27
7.	A/YL-LFS/309	Temporary Public Vehicle Park (Private Car and Light Goods Vehicle) for a Period of 3 Years	V	6.4.2018	2, 4, 6, 7, 11, 13, 14, 16, 17, 18, 20, 24, 25, 26, 27
8.	A/YL-LFS/310	Proposed Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	V	6.4.2018	2, 4, 6, 7, 13, 14, 16, 17, 18, 20, 24, 25, 26, 27
9.	A/YL-LFS/319	Temporary Public Vehicle Park (Private Car) for a Period of 3 Years	V	6.7.2018	2, 4, 6, 7, 13, 14, 16, 17, 22, 23, 25, 26, 27
10.	A/YL-LFS/327	Temporary Private Vehicle Park for Private Cars for a Period of 3 Years	V	5.10.2018	4, 6, 7, 13, 14, 16, 17, 22, 26, 27

Approval Conditions:

1. The submission and/or implementation of landscape/landscaping proposal.
2. The submission and/or implementation of landscape/landscaping and tree preservation proposal.
3. The provision of drainage facilities proposed.
4. The submission and/or implementation of drainage proposal.
5. The submission of a condition record of the existing drainage facilities.
6. Landscape planting and/or drainage facilities on site shall be maintained in good condition.
7. The submission and implementation of fire service installations proposal.
8. The provision of 9-litre water type/3kg dry powder fire extinguisher(s).
9. The submission and/or implementation of noise mitigation proposals/measures and/or sewage treatment and disposal proposals.
10. Noise mitigation measures as proposed shall be adopted on site.
11. The submission and implementation of run-in/out proposal.
12. The provision of solid fencing along the northern boundary of the site.
13. The provision of fencing of the site.
14. No vehicles without valid licenses issued under the Traffic Regulations/Road Traffic Ordinance are allowed to be parked/stored on the site.
15. No container vehicle is allowed to be parked/stored on the site.
16. No vehicle is allowed to queue back to or reverse onto/from public roads.
17. No night-time operation.
18. No cutting/dismantling/cleaning/repairing/compacting/vehicle repair and workshop activities are allowed on the site at any time during the planning approval period.
19. No heavy vehicle (including bus, heavy goods vehicle, construction vehicle or container vehicle) is allowed to be parked or stored on the site.
20. No medium and heavy goods vehicles (exceeding 5.5 tonnes), construction vehicles or container tractors/trailers/vehicles are allowed to be parked or stored on the site.
21. No vehicles other than private cars and light goods vehicles with valid licence/registration and not exceeding 5.5 tonnes are allowed to be parked or stored on the site.
22. Except private cars, no light, medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site.
23. A notice shall be posted at a prominent location of the site to indicate that except private cars, no light, medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site.
24. A notice shall be posted at a prominent location of the site to indicate that no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site.
25. A notice shall be posted a prominent location of the site to remind drivers on pedestrian safety on the access road to the site.
26. Revocation clauses.
27. Reinstatement clause.

Rejected Applications

	<u>Application No.</u>	<u>Proposed Uses</u>	<u>Zoning</u>	<u>Date of Consideration (RNTPC)</u>	<u>Rejection Reason</u>
1.	A/YL-LFS/73	Temporary Public Vehicle Park for Private Cars, Light Goods Vehicles, Coaches and a Snack-bar for a Period of 3 Years	V, R(C)	16.11.2001	1, 2, 3

Rejection Reasons:

1. The proposed development is not in line with the planning intention of the “Residential (Group C)” zone which is for low-rise, low-density residential development with ancillary facilities, and that of the "Village Type Development" zone which is for small house development by indigenous villagers.
2. The proposed development is not compatible with the surrounding area which is predominantly rural in character mixed with some village settlements.
3. There is no information in the submission to demonstrate that the development would not have adverse drainage, sewerage and noise impacts on the surrounding area.

Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the application site (the Site);
- (b) to resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (c) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the Site comprises 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 Site is accessible from Man Tak Road through Government Land (GL) and private lots. Her office provides no maintenance work for the GL involved and does not guarantee any right-of-way to the Site. The lot owners will need 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. Applications for any of the above will be considered by the 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 the LandsD;
- (d) to note the comments of the Commissioner for Transport (C for T) that sufficient manoeuvring space shall be provided within the Site. The local track leading to the Site is not under the Transport Department's purview. The applicant shall obtain consent of the owners/managing departments of the local track for using it as the vehicular access to the Site;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) 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 Site and Man Tak Road;
- (f) to note the comments of the Director of the Environmental Protection (DEP) that the applicant is advised to follow the relevant mitigation measures in the latest "Code of Practice on Handling Environmental Aspects of Open Storage and Temporary Uses" issued by the Environmental Protection Department;

to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that approval of the section 16 application by the Town Planning Board does not imply approval of the tree works such as pruning, transplanting and/or felling under lease. The applicant is reminded to approach relevant authority / government department(s) direct to obtain the necessary approval on tree works;

- (g) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that if the existing structures (not being a New Territories Exempted Building) are erected on leased land without the approval of the BD, they are unauthorized building works (UBW) under the Buildings Ordinance (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. Before any demolition works are to be carried out on the Site, prior approval and consent of the BD should be obtained. An Authorized Person (AP) should be appointed as the co-ordinator for any demolition works in accordance with the BO. Should the AP/Registered Structural Engineer (RSE) confirm the works fall into the Minor Works Control System (MWCS), then the applicant may proceed with the works under the MWCS. For details of the submission procedure under the MWCS, the applicant is advised to visit BD's website at www.bd.gov.hk;

- (h) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the structures, 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 him 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 be clearly marked on the layout plans. If the proposed structure(s) is required to comply with the Buildings Ordinance (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 Director of Food and Environmental Hygiene (DFEH) 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. Proper license / permit issued by FEHD is required if there is any catering service / activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public. For any waste generated from such activity / operation, the applicant should arrange disposal properly at their own expenses.