

**Previous s.16 Applications covering the Application Site**

**Approved Applications**

	<b>Application No.</b>	<b>Zoning(s) and OZP at the time of consideration</b>	<b>Proposed Use(s)/ Development(s)</b>	<b>Date of Consideration (RNTPC/TPB)</b>	<b>Approval Conditions</b>
1.	A/YL-HT/247	“CDA” on approved HT OZP No. S/YL-HT/4	Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles (3 Years)	10.5.2002	1, 2, 3, 4
2.	A/YL-HT/333	“CDA” on approved HT OZP No. S/YL-HT/4	Temporary Public Vehicle Park for Private Cars, Light Goods Vehicles and Heavy Goods Vehicles (3 Years)	27.2.2004	1, 2, 3, 4, 5, 6, 7
3.	A/YL-HT/476	“CDA” on approved HT OZP No. S/YL-HT/8	Renewal of Planning Approval for Temporary Public Vehicle Park for Private Cars, Light Goods Vehicles and Heavy Goods Vehicles under Application No. A/YL-HT/333 (3 Years)	2.2.2007	1, 2, 3, 4, 6, 8, 9, 10
4.	A/YL-HT/661	“CDA” on approved HT OZP No. S/YL-HT/10	Temporary Public Vehicle Park (Private Cars, Light Goods Vehicles, Heavy Goods Vehicles and Container Trailers) (3 Years)	23.4.2010	2, 3, 4, 6, 8, 9
5.	A/YL-HT/847	“CDA” on approved HT OZP No. S/YL-HT/10	Temporary Public Vehicle Park (Private Cars, Light Goods Vehicles, Heavy Goods Vehicles and Container Trailers) (3 Years)	24.5.2016	1, 3, 4, 6, 8, 9
6.	A/YL-HT/1024	“CDA” on approved HT OZP No. S/YL-HT/10	Temporary Public Vehicle Park (Private Cars, Light Goods Vehicles, Heavy Goods Vehicles and Container Trailers) (3 Years)	27.5.2016	1, 3 4, 6, 8, 9

**Approval Conditions:**

1. The submission and implementation of tree preservation or/and landscaping proposals.
2. The submission of DIA/drainage proposals or provision of drainage facilities.
3. Reinstatement clause.
4. Revocation clause.
5. No parking of container vehicles.
6. No vehicle without valid licences issued under the Traffic Regulation is allowed to be parked.
7. The submission of TIA and implementation of the traffic mitigation measures as recommended in the TIA.
8. The maintenance of the drainage facilities/submission of drainage condition record.
9. The provision of Fire Service Installations /a 9-litres water type/3kg dry powder fire extinguisher for the site office.
10. No stacking/open storage of containers.

**Rejected Applications**

	<b>Application No.</b>	<b>Zoning(s) and OZP at the time of consideration</b>	<b>Proposed Use(s)/ Development(s)</b>	<b>Date of Consideration (RNTPC/TPB)</b>	<b>Main Reason(s) for Rejection</b>
1.	A/YL-HT/168	“CDA” on approved HT OZP No. S/YL-HT/4	Temporary Public Vehicle Park for Private Car, Light Goods Vehicles and Heavy Goods Vehicles (3 Years)	10.11.2000	1, 3
2.	A/YL-HT/220	“CDA” on approved HT OZP No. S/YL-HT/4	Temporary Public Vehicle Park for Private Cars, Light Goods Vehicles and Heavy Goods Vehicles (1 year)	2.11.2001	1, 2

**Main Reason(s) for Rejection:**

1. There is insufficient information in the submission to demonstrate that the development would not result in noise nuisance to the residents of the nearby development in Tin Shui Wai.
2. There is insufficient information in the submission to demonstrate that the development would not have adverse environmental and drainage impacts on the surrounding areas.
3. There is insufficient information in the submission to demonstrate that a proper vehicular access for the development would be provided.

**Similar s.16 Applications within the same “R(A)3” and “O” zones  
on the Approved Hung Shui Kiu and Ha Tsuen Outline Zoning Plan OZP No. S/HSK/2**

**Approved Applications**

	<b>Application No.</b>	<b>Zoning(s) and OZP at the time of consideration</b>	<b>Applied Uses(s)/ Development(s)</b>	<b>Date of Consideration (RNTPC/TPB)</b>	<b>Approval Conditions(s)</b>
1	A/YL-HT/172	“CDA” on approved HT OZP No. S/YL-HT/4	Temporary Public Carpark (Private Cars, Lorries and Coaches) (3 Years)	24.11.2000 (3 Years) (approved on review on 23.3.2001)	2, 3, 9, 11, 13 to 14
2	A/YL-HT/260	“O” on approved HT OZP No. S/YL-HT/4	Temporary Private Car and Lorry Park (3 Years)	9.8.2002 (3 Years) (revoked on 9.5.2003)	2, 9, 11, 13 to 14, 16 to 17
3	A/YL-HT/309	“CDA” on approved HT OZP No. S/YL-HT/4	Temporary Open Vehicle Park (3 Years)	11.7.2003 (3 Years)	3, 9, 11, 13 to 14
4	A/YL-HT/382	“CDA” on draft HT OZP No. S/YL-HT/5	Temporary Public Vehicle Park (Private Cars, Lorries and Coaches) (3 Years)	18.5.2005 (3 Years)	2 to 3, 8, 11, 13 to 14
5	A/YL-HT/535	“CDA” on draft HT OZP No. S/YL-HT/9	Temporary Open Vehicle Park (3 Years)	7.3.2008 (3 Years) (revoked on 8.10.2010)	1 to 3, 8 to 9, 13 to 14
6	A/YL-HT/581	“CDA” on draft HT OZP No. S/YL-HT/9	Temporary Public Carpark (Private Cars, Lorries and Coaches) (3 Years)	7.11.2008 (3 Years) (revoked on 7.5.2009)	1 to 10, 13 to 14, 15 to 16
7	A/YL-HT/630	“CDA” on approved HT OZP No. S/YL-HT/10	Temporary Public Car Park (3 Years)	24.7.2009 (3 Years) (revoked on 24.10.2009)	1 to 14
8	A/YL-HT/696	“CDA” on approved HT OZP No. S/YL-HT/10	Temporary Public Car Park (3 Years)	24.9.2010 (3 Years)	1 to 14
9	A/YL-HT/867	“CDA” on approved HT OZP No. S/YL-HT/10	Temporary Public Car Park (3 Years)	8.11.2013 (3 Years) (revoked on 8.5.2014)	1 to 14

Approval Conditions

1. No night time and/or Sundays and public holidays operation.
2. No parking of container vehicles, including container trailers and tractors.
3. No vehicle without valid licences issued under the Traffic Regulations is allowed to be parked/stored.
4. A notice should be posted at a prominent location of the site.
5. No cutting, dismantling, melting, cleansing, repairing or other workshop activity.

6. No open storage of materials.
7. No vehicle is allowed to queue back to public road or reverse onto/from the public road.
8. The existing drainage facilities on the site should be maintained.
9. The submission of a condition record/ drainage proposal and /or implementation of the drainage proposal
10. The submission and/or implementation of run in/out proposal.
11. The submission and/or implementation of tree preservation and/or landscape proposal/or maintenance of existing plants.
12. The submission and/or implementation of FSIs proposal/or submission of FS251/the provision of a 9-litre water type/3kg dry powder fire extinguisher
13. Revocation clause.
14. Reinstatement clause.
15. The construction of an interception channel at the entrance to prevent surface water running from the site to the nearby public roads.
16. The provision of fencing.
17. The setting back of the site.

**Advisory clauses**

- (a) prior planning permission should have been obtained before continuing the development on the Site;
- (b) to resolve any land issues relating to the development with the concerned owner(s) of the Site;
- (c) shorter compliance periods are imposed in order to closely monitor the progress of compliance with approval conditions. Should the applicant fail to comply with any of the approval conditions again resulting in the revocation of planning permission, sympathetic consideration would not be given to any further application;
- (d) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the Site comprises an Old Schedule Agricultural Lots held under the Block Government Lease upon which no structure is allowed to be erected without prior approval from his office. No permission is given for occupation of Government Land (GL) (about 1,080m<sup>2</sup> subject to verification) included in the Site. Subsequent to the previous planning Application No. A/YL-HT/1024 approved by the Committee on 27.5.2016, a STT was approved and offered to the applicant (same as the current applicant) in 2017. However, the applicant refused to take up the STT offer. The applicant informed that he would not occupy the concerned GL. Hence, DLO/YL does not support the proposed use for the GL portion. The applicant is required to exclude the GL portion from the Site. The private land of Lot 826 S.A in D.D. 125 is covered by Short Term Waiver (STW) No. 2901 to permit structures for the purpose of “Office Ancillary to Public Vehicle Park”. The site is accessible from Ping Ha Road and Yu Yip New Road through a local road on GL. His office provides no maintenance works to the GL involved and does not guarantee right-of-way. The Site does not fall within Shek Kong Airfield Height Restriction Area. Should the application be approved, the lot owner(s) of the lot(s) without STW will need to apply to his office for permitting the structures to be erected or to regularise any irregularities on the Site, if any. The STW holders will need to apply to his office for modification of the STW conditions where appropriate. 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. Such application(s) will be considered by LandsD acting in the capacity of the landlord 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 premium or fee, as may be imposed by LandsD;
- (e) to note the comments of the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD) that sufficient manoeuvring spaces shall be provided within the subject site. No vehicle is allowed to queue back to public road or reverse onto/from the public road. The local track leading to the Site is not under his preview. The applicant shall obtain consent of the owners/ managing departments of the local track for using it as the vehicular access to the Site
- (f) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public road and drains. His office shall not be responsible for the maintenance of any access connecting the Site and Yu Yip New Road / Ping Ha Road;

- (g) to follow 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 to minimize any potential environmental nuisance;
- (h) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that before any new building works (including containers/open sheds as temporary buildings) are to be carried out on application site, prior approval and consent of the BD should be obtained, otherwise they are unauthorised building works (UBW) under the Buildings Ordinance (BO). An Authorised Person (AP) 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 application 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) Regulations (B(P)R) respectively. 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 the B(P)R at the building plan submission stage;
- (i) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the structures, FSIs are anticipated to be required. The applicant should 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 FSIs are 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
- (j) to note comments of the Chief Engineer/ Mainland North, Drainage Services Department (CE/MN, DSD) that the required condition record should include coloured photos showing the current condition of the drainage facilities and a layout plan indicating the locations of the photos taken. The submitted photos should cover all internal surface channels, catch pits, sand traps, manholes, terminal catch pits/manholes and the downstream discharge path as indicated on the submitted drainage proposal.