

Previous s.16 Applications covering the Application Site

Approved Applications

	<u>Application No.</u>	<u>Zoning(s) and OZP at the time of consideration</u>	<u>Applied Use(s)/ Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Condition(s)</u>
1.	A/YL-PS/12	“CDA” on draft Ping Shan OZP No. S/ YL-PS /1	Proposed Comprehensive Development with Minor Relaxation on Building Height	8.8.1997	(1) to (11)
2.	A/YL-PS/277	“CDA” on approved Ping Shan OZP No. S/ YL-PS /11	Temporary Vehicle Park for Private Car, Light Goods Vehicle and Medium Goods Vehicle with Ancillary Office and storeroom (3 Years)	14.12.2007 (Revoked on 24.7.2008)	(12) to (14), (18), (22), (26) and (28) to (30)
3.	A/YL-PS/288	“CDA” on approved Ping Shan OZP No. S/ YL-PS /11	Temporary Vehicle Park for Private Car and light Goods Vehicle with Ancillary Office and storeroom (3 Years)	24.10.2008 (Revoked on 24.4.2009)	(12) to (14), (18), (23) and (26) to (30)
4.	A/YL-PS/296	“CDA” on approved Ping Shan OZP No. S/ YL-PS /11	Temporary Vehicle Park for Private Car, Light Goods Vehicle and Medium Goods Vehicle with Ancillary office and Storeroom (3 years)	27.2.2009	(12), (13), (15), (18), (19), (23), (26), (27), (28), (30), (31)
5.	A/YL-PS/368	“CDA” on draft Ping Shan OZP No. S/ YL-PS /13	Renewal of Planning Approval for Temporary Vehicle Park for Private Car, Light Goods Vehicle and Medium Goods Vehicle with Ancillary office and Storeroom (3 Years)	24.2.2012	(12), (13), (15), (17) to (19), (24) and (26) to (30)
6.	A/YL-PS/471	“CDA” on draft Ping Shan OZP No. S/ YL-PS /15	Renewal of Planning Approval for Temporary Vehicle Park for Private Car, Light Goods Vehicle and Medium Goods Vehicle with Ancillary Office and Storeroom (3 Years)	6.2.2015 (Revoked on 12.5.2017)	(12), (13), (16), (17) to (21), (24) and (26) to (29)
7.	A/HSK/2	“R(A)3” on approved Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/2	Proposed Temporary Public Vehicle Park (excluding container vehicle) (3 Years)	11.8.2017 (Revoked on 11.11.2019)	(13), (14), (17), (18), (20), (21), (24) to (26), (28) and (29)

Approval Conditions:

- (1) Submission and implementation of Master Layout Plan.
- (2) Submission and implementation of a master landscape plan, including a tree preservation proposal.
- (3) Design and provision of a bus terminus layout.
- (4) Provision of footbridges linking the housing site to the north and the future Hung Shiu Kiu LRT Station
- (5) Extension of the proposed footbridge to the south connecting to the LRT station platforms and to the other side of Castle Peak Road.

- (6) Design and provision of ingress/egress points(s), parking spaces, taxi areas, loading and unloading facilities and pedestrian access(es).
- (7) Design and provision of a market, indoor recreation center and a refuse collection point.
- (8) Provision of an EVA and fire service installations.
- (9) Submission of a noise impact assessment and provision of noise mitigation measures.
- (10) Submission of a drainage proposal/drainage impact assessment and provision of flood mitigation measures/implementation of the drainage proposal.
- (11) Deletion of the provision of a day nursery and submission and implementation of a development programme.
- (12) No night-time operation.
- (13) No washing/repairing/dismantling/paint spraying of vehicles and other workshop activities.
- (14) No parking of goods vehicles exceeding 5.5 tonnes, coaches, container vehicles, container tractors and trailers.
- (15) No parking of goods vehicles exceeding 24 tonnes, coaches, container vehicles, container tractors and trailers.
- (16) Only private cars and light goods vehicles are allowed to enter/be parked.
- (17) A notice shall be posted at a prominent location to indicate that only private cars and light goods vehicles are allowed to enter/ be parked.
- (18) No parking/storage of vehicles without valid licences issued under the Road Traffic Ordinance.
- (19) Adherence to the proposed parking layout arrangement.
- (20) No vehicle is allowed to queue back to or reverse onto/from public road.
- (21) Provision/maintenance of boundary/peripheral fencing.
- (22) Implementation of the accepted landscape proposal.
- (23) Maintenance of existing landscape plating.
- (24) Submission and implementation of tree preservation and tree survey/tree preservation/ tree preservation and landscape proposal.
- (25) Submission of the run-in/out proposal and provision of run-in/out proposed.
- (26) Provision of the proposed drainage facilities.
- (27) Submission of the condition record of the existing drainage facilities.
- (28) Submission of the fire services installations proposal and provision of fire service installations proposed.
- (29) Revocation clause.
- (30) Reinstatement clause.

Rejected Application

	<u>Application No.</u>	<u>Zoning(s) and OZP at the time of consideration</u>	<u>Applied Use(s)/ Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Reason(s) for Rejection</u>
1.	A/YL-PS/219	“CDA” on approved Ping Shan OZP No. S/YL-PS /11	Temporary Open Storage of Building Construction Materials and Machinery (3 Years)	24.6.2005	(1) to (3)

Reason for Rejection:

- (1) Not in line with the planning intention of the "Comprehensive Development Area" ("CDA") zone.
- (2) Not in line with the Town Planning Board Guidelines No. 13C.
- (3) Setting of precedent for similar applications.

**Similar s.16 Applications within the subject “R(A)4” Zone
on the Approved Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/2
(Previously zoned “CDA” on the Approved Ping Shan OZP No. S/YL-PS/16)**

Approved Applications

	<u>Application No.</u>	<u>Zoning(s) and OZP at the time of consideration</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Conditions</u>
1.	A/YL-PS/267	“CDA” on approved Ping Shan OZP No. S/YL-PS/11	Temporary Vehicle Park for Private Car, Light Goods Vehicle and Medium Goods vehicle with Ancillary Office and Storeroom (3 Years)	13.4.2007 (revoked on 13.1.2008)	(1), (2), (3), (5), (6), (10), (14) and (15)
2.	A/YL-PS/331	“CDA” on approved Ping Shan OZP No. S/YL-PS/11	Proposed Temporary Vehicle Park for Private Cars and Light Goods Vehicles (3 Years)	29.10.2010 (revoked on 29.10.2011)	(1), (2), (3), (5), (7), (8), (11), (13) to (16)
3.	A/YL-PS/354	“CDA” on draft Ping Shan OZP No. S/YL-PS/13	Proposed Temporary Vehicle Park of Private Cars and Light Goods Vehicles (with Ancillary Site Office) (3 Years)	7.10.2011 (revoked on 7.8.2013)	1 to (5), (7), (9), (11) and (13) to (16)
4.	A/HSK/39	“R(A)4” on draft HSK&HT OZP No. S/HSK/1	Temporary Public Vehicle Park (Private Cars, Light Goods Vehicles and Coaches) (3 Years)	26.1.2018	(1) to (5), (7) and (11) to (17)
5.	A/HSK/54	“R(A)4” on draft HSK&HT OZP No. S/HSK/1	Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) (3 Years)	16.3.2018	(2) to (5), (10), (11) and (13) to (17)

Approval Conditions:

- (1) Restrictions on operation hours.
- (2) No washing, dismantling and repairing of vehicle, paint spraying or other workshop activity.
- (3) No parking of goods vehicles exceeding 5.5 tonnes, coaches, container vehicles, container tractors and trailers.
- (4) A notice shall be posted at a prominent location to indicate that no medium or heavy vehicle are allowed to enter/be parked.
- (5) No parking/storage of vehicle without valid licence.
- (6) Implementation of accepted landscape proposal.
- (7) Submission and implementation of landscape and/or tree preservation proposal.
- (8) Submission of tree monitoring report every 6 months.
- (9) Maintenance of existing trees within the site.
- (10) Submission and implementation of drainage proposal.
- (11) Provision of peripheral/boundary fencing.
- (12) Submission of condition record of the existing drainage facilities.
- (13) Maintenance of existing/implemented drainage facilities.
- (14) Submission and implementation of fire service installations proposal.
- (15) Revocation Clause.
- (16) Reinstatement clause.
- (17) No vehicle is allowed to queue back to or reverse onto/from public road.

tpbpd@pland.gov.hk

寄件者: [REDACTED]
寄件日期: 2020年01月09日星期四 2:59
收件者: tpbpd
主旨: A/HSK/209 DD 124 Hung Shiu Kiu

A/HSK/209
Lots 2427RP (Part) and 2428RP (Part) in D.D.124, Hung Shui Kiu
Site area : About 632.7sq.m
Zoning : "Res (Group A) 4"
Applied use : 12 Vehicle Parking / 5 Years

Dear TPB Members,

Approval is revoked for breach of a number of conditions, but mo man tai, file again and another approval.
Again non compliance – cannot find the link for details – so file again and for 5 years this time.

Apart from the history of non-compliance, any rational person would ask how can Hung Shui Kiu become a new town when it is so easy to get approval for brownfield for lots in the middle of a Res A site?

Mary Mulvihill

Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the development on-site;
- (b) to note that the Site might be resumed at any time during the planning approval period for implementation of government projects;
- (c) should you fail to comply with any of the approval conditions again resulting in the revocation of planning permission, sympathetic consideration may not be given to any further applications;
- (d) 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 Hung Yuen Road through GL only. His office provides no maintenance works to GL involved and does not guarantee any right-of-way over to the Site. The lot owner(s) will need to apply to his office to permit the structures to be erected or regularise any irregularities on site, if any. No construction of New Territories Exempted Building(s) will be considered or allowed. Application(s) for any of the above will be considered by LandsD acting in the capacity of the landlord at his 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 the LandsD.
- (e) to note the comments of the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD) that sufficient manoeuvring space shall be provided within the site. No vehicles are allowed to queue back to public roads or reverse onto/from public roads;
- (f) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that if a run-in/out is proposed, it should be constructed in accordance with the latest version of Highways Standard Drawing No. H1113 and H1114, or H5133, H513 and H5135, whichever set is appropriate to match with the existing adjacent pavement. A gully is located on the proposed run-in/out. The applicant should relocate and construct the gully in accordance with HyD's standard to ensure proper functioning of the gully. The applicant should submit a proposal showing the details of the relocation works to HyD for comment and agreement before commencement of any site works. Excavation Permit should be obtained from his office prior to commencement of any excavation works on public roads maintained by his office. 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 Hung Yuen Road.
- (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 Houses) are erected on leased land without approval of the BD, they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and

should not be designated for any approved 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 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 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 BD should be obtained, otherwise they are UBW. An Authorized Person should be appointed as the coordinator for the proposed building works in accordance with the BO.

- (h) to note the comments of the Director of Fire Services (D of FS) that the fire service installations proposal attached is considered acceptable. The installations/ maintenance/ modification/ repair work of FSI 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 his office. If the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123) or relevant licensing requirements, detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;
- (i) to note the comments of the Project Manager (West), Civil Engineering and Development Department (PM/W, CEDD) that the lot(s) concerned falls within sites under HSK/HT NDA Advance Works Phase 3 and the proposed tenure under the application may have conflict with Phase 3 works as per the latest implementation programme for the project. The applicant should be noted that the possible conflict between his proposal and the development of HSK/HT NDA.
- (j) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) on the submitted drainage proposal that peripheral surface channels shall be provided along the site boundary to collect the surface runoff accrued on the Site and to intercept the overland flow from the adjacent lands. The cover levels and invert levels of the proposed u-channels, catchpits/ sand traps should be shown on the drainage plan. Cross sections showing the existing and proposed ground levels of the captioned site with respect to the adjacent areas should be given. Sand trap or provision alike should be provided before the collected runoff is discharged to the public drainage facilities. Standard details should be provided to indicate the sectional details of the proposed u-channel and the catchpit/ sand trap. Where walls or hoarding are erected are laid along the site boundary, adequate opening should be provided to intercept the existing overland flow passing through the Site. The development should neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc. The applicant should consult DLO/YL and seek consent from the relevant owners for any drainage works to be carried out outside his lot boundary before commencement of the drainage works.