

Previous s.16 Applications covering the Application Site

Approved Applications

	<u>Application No.</u>	<u>Zoning</u>	<u>Use/Development</u>	<u>Date of Consideration</u>	<u>Approval Conditions</u>
1	A/YL-PS/279	“Residential (Group A)2)” (“R(A)2”) on the then Ping Shan OZP No. S/YL-PS/11	Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles with Ancillary Car Beauty Service for a Period of 3 Years	18.1.2008	(1) to (7), (12), (13)
2	A/YL-PS/375	“R(A)2” on the then Ping Shan OZP No. S/YL-PS/13	Temporary Public Vehicle Park for Private Cars for a Period of 3 Years	30.3.2012	(1) to (6), (8) to (13)
3	A/ YL-PS/512	“R(A)2” on the then Ping Shan OZP No. S/YL-PS/16	Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years	5.2.2016	(1), (2), (4) to (6),(8), (11) to (17)

Approval Conditions

- (1) No night-time operation
- (2) No vehicle dismantling, repairing or other workshop activities were allowed on the site at any time during the planning approval period
- (3) No vehicles exceeding 5.5 tonnes were allowed to be parked on the site
- (4) No vehicles without valid licences issued under the Road Traffic Ordinance were allowed to be parked/stored on site
- (5) Submission and implementation of landscape and tree preservation proposal
- (6) Submission and implementation of drainage proposal
- (7) Provision of a 9-litre water type/3kg dry powder fire extinguisher in each of the container-converted site offices
- (8) A notice to be posted at a prominent location of the site to indicate that only vehicles not exceeding 5.5 tonnes / only private cars were allowed to be parked/stored
- (9) The provision of mitigation measures to minimize any possible nuisance of noise and artificial lighting on the site to the residents nearby
- (10) The parking layout arrangement should be adhered to during the planning approval period
- (11) Submission and implementation of Fire Services Installations (FSIs)
- (12) Revocation clause
- (13) Reinstatement clause
- (14) No vehicle is allowed to queue back to or reverse onto/from public road
- (15) Maintenance of drainage facilities on the site
- (16) Provision of periphery/boundary fencing on the site
- (17) Submission of condition record of the existing drainage facilities

Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the development on the Site;
- (b) to resolve any land issue relating to the development with the concerned owner(s) of the Site;
- (c) to note the comments of District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the Site comprises Old Schedule Agricultural Lot held under the Block Government Lease that no structures are allowed to be erected without prior approval of the Government. The private lot No. 2329 RP in D.D. 124 is covered by Short Term Waiver (STW) No. 4660 to permit structures for the purpose of 'Temporary Public Vehicle Park (Private Cars)'. The STW holders should apply to his office for modification of the STW conditions where appropriate. Application(s) 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(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;
- (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 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 Castle Peak Road - Hung Shui Kiu or Hung Tai Road;
- (f) to note the 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 pit/manholes and the downstream discharge path as indicated on the submitted drainage proposal;
- (g) to note the comments of the Chief Town Planning/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that the applicant is reminded to approach relevant authority / Government department(s) direct to obtain the necessary approval on tree works where appropriate. If replacement for existing tree is required, the applicant may wish to consider other tree species with small mature size in lieu of *Ficus microcarpa* which has the characteristics of vigorous root system and large tree canopy in mature size;

- (h) to follow the “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” issued by the Environmental Protection Department to minimise potential environmental nuisance to the surrounding area;
- (i) 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 House) are erected on leased land without the approval of the Building Authority (BA), they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed use under this application. For UBW erected on leased land, enforcement action may be taken by the Buildings Department (BD) to effect their removal in accordance with the prevailing 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. Before any new building works (including containers/open sheds as temporary buildings and land filling) are to be carried out on Site, prior approval and consent of the BA should be obtained, otherwise they are UBW. An Authorised Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with 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 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. Any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings are subject to the control of Part VII of the B(P)R; and
- (j) to note the comments of the Director of Fire Services (D of FS) that the applicant is advised to submit relevant layout plans incorporated with the proposed fire service installations (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 FSI to be installed should be clearly marked on the layout plans. The applicant is reminded that 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.