

Previous Application Covering the Application Site

Approved Application

<u>Application No.</u>	<u>Development/Use</u>	<u>Date of Consideration</u>	<u>Approval Conditions</u>
A/YL-PS/12	Proposed Comprehensive Development with Minor Relaxation on Building Height	8.8.1997 (Lapsed on 9.8.2003)	(1) to (12)

Approval Conditions

- (1) Submission and implementation of Master Layout Plan.
- (2) Submission and implementation of 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 Shui Kiu Light Rail Transit (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 point(s), parking spaces, taxi areas, loading and unloading facilities and pedestrian access(es).
- (7) Design and provision of a market, an indoor recreation centre 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 impact assessment and provision of flood mitigation measures.
- (11) Deletion of the provision of a day nursery
- (12) Submission and implementation of a development programme.

**Similar Applications within the Same “R(A)4” Zone
on the Draft Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/1
(Previously zoned “CDA” on the Approved Ping Shan OZP No. S/YL-PS/16)**

Approved Applications

<u>Application No.</u>	<u>Development/Use</u>	<u>Date of Consideration</u>	<u>Approval Conditions</u>
A/YL-PS/288	Temporary Vehicle Park for Private Car and Light Goods Vehicle with Ancillary Office and Storeroom for a Period of 3 Years	24.10.2008 (revoked on 24.9.2008)	(1) to (4), (10), (13), (14), (16), (18), (19)
A/YL-PS/331	Temporary Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	29.10.2010 (revoked on 29.10.2011)	(1) to (4), (7), (8), (11), (14), (15), (17), (18)
A/YL-PS/354	Temporary Vehicle Park for Private Cars and Light Goods Vehicles (with Ancillary Site Office) for a Period of 3 Years	7.10.2011 (revoked on 7.8.2013)	(1) to (5), (7), (12) to (15), (17), (18)
A/HSK/2	Proposed Temporary Public Vehicle Park (excluding container vehicle) for a period of 3 years	11.8.2017	(2) to (6), (7), (10), (14) to (18)
A/HSK/39	Temporary Public Vehicle Park (Private Cars, Light Goods Vehicles and Coaches) for a Period of 3 Years	26.1.2018	(1) to (6), (7), (12), (13), (15), (17), (18)

Approval Conditions

- (1) Restrictions on operation hours.
- (2) No dismantling and repairing of vehicle or other workshop activity.
- (3) No parking of goods vehicles exceeding 5.5 tonnes, coaches, container vehicles, container tractors and trailers.
- (4) No parking/storage of vehicle without valid licence.
- (5) A notice shall be posted at a prominent location to indicate that no medium or heavy vehicle are allowed to enter/be parked.
- (6) No queue back to reverse onto/from public road.
- (7) Submission and implementation of landscape and 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) Implementation of drainage facilities as proposed.
- (12) Submission of condition record of the existing drainage facilities.
- (13) Maintenance of existing drainage facilities.
- (14) Provision/Maintenance of peripheral fencing.
- (15) Submission and implementation of fire service installations proposal.
- (16) Submission/Provision of a run-in/out proposal
- (17) Revocation Clause.
- (18) Reinstatement clause

Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the development of the Site;
- (b) to resolve any land issue relating to the development with the concerned owner(s) of the Site;
- (c) to note that the Site might be resumed at any time during the planning approval period for the implementation of government project;
- (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 prior approval of the Government. The Site is accessible to Hung Shui Kiu Tin Sam Road through both private lot and Government Land (GL). His office provides no maintenance work for the GL involved and does not guarantee any right-of-way. According to his record, there is no lease modification/land exchange application nor building plan submission in relation to commercial development at the Site approved/under processing. The lot owner(s) will need to apply to his office to permit the structures to be erected or regularise any irregularities on site. Such application(s) will be considered by the 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 Chief Building Surveyor/New Territories West, Buildings Department (BD) that before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Site, prior approval and consent of the BD should be obtained, otherwise they are unauthorized building works (UBW) under the Buildings Ordinance (BO). An Authorised Person (AP) should be appointed as the coordinator 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 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;
- (f) to note the comments of the Assistant Commissioner for Transport/New Territories, Transport Department that sufficient manoeuvring space shall be provided within the Site;
- (g) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department that the access arrangement should be commented by TD.

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 application site and Tin Sam Road;

- (h) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that peripheral surface channel along the boundary of the whole Site shall be provided to collect the surface runoff accrued on site and to intercept the overland flow, especially that from the knoll to the north. It appeared that a 150mm diameter U-channel will be too small for the Site whose area is about 470m². The applicant has to demonstrate whether the proposed drainage facilities are adequate to collect, convey and discharge the surface runoff accrued on site and the overland flow intercepted from the adjacent land. The gradients and the sizes of the proposed U-channels should be shown on the drainage plan. 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 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. Where walls or hoarding are erected 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;
- (i) to follow 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 potential environmental nuisance on the surrounding area;
- (j) to note the comments of the Director of Fire Services that in consideration of the design/nature of the proposal, fire services installations (FSIs) are anticipated to be required. Therefore, the applicant is advised to 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. 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;
- (k) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that the applicant should be advised to make precautionary measures to prevent damage to the trees adjoining the Site, in particularly the tree of significant size. The applicant is advised that approval of the s.16 application by the Board does not imply approval of the tree works such as pruning, transplanting and/or felling. Application for tree works should be submitted direct to DLO for approval. Useful information on general tree maintenance is available for reference in 護養樹木的簡易圖解 (http://www.greening.gov.hk/filemanager/content/pdf/tree_care/Pictorial_Guide_for_Tree_Maintenance.pdf) and the Handbook

of Tree Management (Chinese Version: http://www.greening.gov.hk/tc/tree_care/Handbook_on_Tree_Management.html) published by the GLTM Section, DEVB;

- (l) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that the applicant is advised to adopt appropriate measures to avoid affecting the existing mature trees immediately adjacent to the Site during operation; and
- (m) to note the comments of the Director of Electrical and Mechanical Services that in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable or overhead line under the application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the "Code of Practice on Working near Electricity Supply Lines" established under the Regulation when carrying out works in the vicinity of the electricity supply lines.