

Previous s.16 Application covering the Application Site

Approved Application

<u>No.</u>	<u>Application No.</u>	<u>Use/Development</u>	<u>Date of Consideration</u>	<u>Approval Conditions</u>
1.	A/YL-PS/410	Temporary Public Vehicle Park (Private Car and Light Goods Vehicle) for a Period of 3 Years	21.6.2013 RNTPC	(1), (2), (3), (4), (5), (6), (7), (8), (9), (10) and (11)

Approval Conditions

- (1) No night-time operation.
- (2) No medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractor/trailer, are allowed to be parked on the site.
- (3) No parking/storage of vehicles without valid licences.
- (4) Posting of a notice at a prominent location to indicate the type of vehicles to be allowed or not allowed to enter/be parked on the site.
- (5) No vehicle repairing, dismantling and workshop use.
- (6) Maintain existing paving and fencing.
- (7) Provision and maintenance of drainage facilities.
- (8) Submission and implementation of landscape and tree preservation proposals.
- (9) Submission of fire service installations (FSIs) proposal and provision of FSIs.
- (10) Revocation clauses.
- (11) Reinstatement clause.

**Similar s.16 Applications within the same “V” zone
on the Draft Ping Shan OZP No. S/YL-PS/17**

Approved Applications

<u>Application No.</u>	<u>Zoning</u> (at the time of approval)	<u>Development/Use</u>	<u>Date of Consideration</u>	<u>Approval Conditions</u>
A/YL-PS/212	“CDA”, “R(B)1”, “R(E)2” & “V”	Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	13.5.2005 (Revoked on 29.9.2005)	(1), (2), (6), (11), (15), (24) & (25)
A/YL-PS/239	“CDA”, “R(B)1”, “R(E)2” & “V”	Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	7.4.2006	(1), (2), (6), (11), (15), (17), (24) & (25)
A/YL-PS/248	“V” & “U”	Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	4.8.2006	(1), (3), (6), (11), (15), (16), (17), (24) & (25)
A/YL-PS/259	“V” & “U”	Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 years	15.12.2006 (Revoked on 19.9.2008)	(1), (3), (6), (10), (13), (14), (24) & (25)
A/YL-PS/275	“V”	Temporary Public Vehicle Park for Private Cars and Light Goods Vehicle for a Period of 3 Years	30.11.2007	(1), (3), (6), (11), (15), (16), (24) & (25)
A/YL-PS/292	“R(B)1”, “V”, “R(E)2”, “CDA”	Renewal of Planning Approval for Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	5.12.2008	(1), (3), (6), (11), (15), (16), (18), (24) & (25)
A/YL-PS/301	“V” & “U”	Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	17.4.2009 (Revoked on 17.10.2009)	(1), (3), (6), (10), (15), (16), (18), (24) & (25)
A/YL-PS/304	“V” & “U”	Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	10.7.2009	(1), (3), (6), (9), (11), (15), (16), (18), (24) & (25)

A/YL-PS/307	“V” & “U”	Temporary Vehicle Park for Private Cars and Light Goods Vehicle for a Period of 3 Years	18.9.2009	(1), (3), (6), (10), (15), (16), (18), (24) & (25)
A/YL-PS/310	“V”	Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	6.11.2009	(1), (3), (6), (10), (13), (14), (18), (21), (24) & (25)
A/YL-PS/363	“V”	Proposed Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	20.1.2012	(3), (5), (6), (10), (13), (14), (18), (19), (24) & (25)
A/YL-PS/366	“V” & “OU(Heritage and Cultural Tourism Related Uses)” (“OU(HCTR)”)	Proposed Temporary Public Vehicle Park for Private Car and Light Goods Vehicles a Period of 3 Years	10.2.2012	(3), (5), (6), (10), (15), (16), (18), (19), (24) & (25)
A/YL-PS/382	“V”	Temporary Public Vehicle park for Private Cars and Light Goods Vehicles for a Period of 3 Years	15.6.2012	(1), (3), (5), (6), (9), (11), (12), (15), (16), (18), (24) & (25)
A/YL-PS/390	“V”	Temporary Public Vehicle Park for Private Car and Light Goods Vehicles for a Period of 3 Years	21.9.2012	(1), (3), (5), (6), (9), (10), (15), (16), (18), (19), (24) & (25)
A/YL-PS/395	“V”	Renewal of Planning Approval for Temporary “Public Vehicle Park for Private Car and Light Goods Vehicle” for a Period of 3 Years	19.10.2012	(1), (3), (5), (6), (7), (9), (10), (15), (16), (18), (22), (23), (24) & (25)
A/YL-PS/452	“V”	Proposed Temporary Public Vehicle park for Private Cars for a Period of 3 Years	14.11.2014	(1), (4), (5), (6), (7), (8), (10), (13), (15), (18), (19), (24) & (25)
A/YL-PS/466	“V”	Renewal of Planning Approval for Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	16.1.2015	(1), (4), (5), (6), (7), (8), (11), (15), (16), (18), (24) & (25)

A/YL-PS/468	“V” & “OU(HCTR)”	Renewal of Planning Approval for Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years	6.2.2015	(1), (4), (5), (6), (7), (8), (10), (15), (16), (18), (20), (24) & (25)
A/YL-PS/479	“V”	Temporary Public Vehicle park (Private Cars and Light Goods Vehicle Only) for a Period of 3 Years	22.5.2015	(1), (4), (5), (6), (7), (8), (9), (10), (15), (16), (18), (22), (24) & (25)
A/YL-PS/489	“V”	Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years	8.1.2016	(1), (4), (5), (6), (7), (8), (9), (10), (15), (16), (18), (19), (24) & (25)
A/YL-PS/492	“V”	Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years	8.4.2016	(1), (3), (5), (6), (7), (8), (10), (13), (15), (18), (19), (24) & (25)
A/YL-PS/498	“V”	Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years	6.11.2015 (Revoked on 6.8.2016)	(1), (4), (5), (6), (7), (8), (9), (10), (15), (16), (18), (19), (23), (24) & (25)
A/YL-PS/516	“V”	Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years	22.4.2016	(1), (3), (5), (6), (7), (8), (10), (13), (15), (18), (19), (24) & (25)
A/YL-PS/522	“V” & “OU(HCTR)”	Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years	12.8.2016	(1), (3), (5), (6), (7), (8), (10), (15), (16), (18), (19), (24) & (25)
A/YL-PS/543	“V”	Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years	8.9.2017	(1), (3), (5), (6), (7), (8), (9), (10), (15), (16), (18), (19), (23), (24) & (25)

Approval Conditions

- (1) No parking/storage of vehicles without valid licences issued under the Road Traffic Ordinance.
- (2) No vehicles other than private cars and light goods vehicles (not more than 5.5 tonnes) are allowed to be parked on the site.
- (3) No (medium or heavy goods vehicle) or parking of (goods) vehicles (exceeding) 5.5 tonnes (or more), (coaches, container vehicles), container tractors and/or trailers.
- (4) Only private cars (and light goods vehicles) are allowed to enter/be parked.
- (5) Posting notice at a prominent location to indicate the types of vehicle allowed to enter/be parked.
- (6) No night time operation.
- (7) No vehicle washing/repairing/dismantling/paint spraying and other workshop uses/activities.
- (8) No vehicle is allowed to queue back to or reverse onto/from public road.
- (9) Posting notice at a prominent location to remind drivers on pedestrian safety on access road.
- (10) Submission and/or implementation of the (accepted) tree preservation and/or landscape proposal(s).
- (11) Maintenance of (existing) landscape planting/vegetation/trees, including replacement of dead plants.
- (12) Submission of tree survey plan and schedule.
- (13) Submission and/or implementation of (accepted) drainage proposal.
- (14) Provision of drainage facilities proposed.
- (15) Maintenance of (existing/implemented) drainage facilities.
- (16) Submission of condition record of existing drainage facilities.
- (17) Provision of fire extinguisher.
- (18) Submission and/or implementation of fire services installations proposal or provision of fire service installations proposed.
- (19) Provision of peripheral/boundary fencing.
- (20) Maintenance of existing peripheral/boundary fencing.
- (21) Provision of paving and fencing.
- (22) Maintenance of (existing) paving and/or fencing.
- (23) A minimum of 3.5m set back from the northern, eastern and southern boundaries.
- (24) Revocation Clauses.
- (25) Reinstatement Clause.

Advisory Clauses

- (a) to resolve any land issue relating to the development with the concerned owner(s) of the Site;
- (b) prior planning permission should have been obtained before commencing the development at the Site;
- (c) to note the comments of District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the Site comprises an Old Schedule Agricultural Lot 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 also includes Government land (GL) (about 20.5m² subject to verification). Any occupation of GL without Government's prior approval is not allowed. Within the Site, the private lot is currently covered by a Short Term Waiver (STW) whereas the Government Land (GL) therein is covered by a Short Term Tenancy (STT), details of which are listed below:-

STW/STT No.	Lot No./GL in D.D. 122	Permitted Use
STT 2845	GL	Temporary Public Vehicle Park for Private Cars and Light Goods Vehicle
STW 4086	425	

The Site is accessible to Ping Ha Road via GL. His office does not provide maintenance work for GL involved and does not guarantee any right-of-way to the Site. The Site falls within Sheung Cheung Wai Archaeological Site No. AM02-1671. The STW/STT holder(s) will need to apply to his office for modification of the STW/STT conditions if there is any irregularities on Site. Such application(s) 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(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;

- (d) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that as there is no record of approval by the Building Authority for the existing structures at the Site, he is not in a position to offer comments on their suitability for the use proposed in the application. If the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the BD, they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed 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 constructed 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 application site, prior approval and consent of the BD should be obtained, otherwise they are UBW. An Authorized 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 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 Building (Planning) Regulation at the building plan submission stage;

- (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 vehicle is allowed to queue back to public roads or reverse onto/from public roads. The local track leading to the Site is not under TD'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;
- (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 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 Tsui Sing Road;
- (g) to follow the the relevant mitigation measures and requirements in the latest "Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites";
- (h) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that the Applicant is reminded that approval of the application does not imply approval of tree works such as pruning, transplanting or felling under lease. Tree felling applications should be submitted direct to DLO or other relevant tree authority as appropriate for approval. A minimum soil provision of 1m (W) x 1m (L) x 1.2m (D) for each tree should be provided. The Applicant may refer to the "Technical Note on the Submission and Implementation of Landscape Proposals for Compliance with Conditions for Approved Applications for Open Storage and Port Back-up Uses" published by the Planning Department, for typical sections of the boundary landscape treatment. 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: https://www.greening.gov.hk/tc/tree_care/ Handbook_on_Tree_Management.html) published by the GLTM Section, DEVB;
- (i) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the proposal, 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 his Department for approval. The applicant is also advised that the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of 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
- (j) to note the comments of the Antiquities and Monuments Office, Leisure and Cultural Services Department (AMO, LCSD) that with reference to Figure 3 and 5 attached to the application, it is noted that a toilet, temporary structures and drainage works are proposed within the Site. If any excavation works shall be conducted at the Site, the applicant is required to inform AMO immediately in case of discovery of antiquities or supposed antiquities in the course of excavation.