

Previous Applications Covering the Site

Approved Applications

<u>Application No.</u>	<u>Zoning</u>	<u>Development/Use</u>	<u>Date of Consideration</u>	<u>Approval Conditions</u>
A/YL-PS/530	“G/IC” & “V”	Proposed Temporary Shop and Wholesale of Construction Materials for a Period of 3 Years	13.1.2017	(1) to (11)

Approval Conditions

- (1) Restriction on operation hours.
- (2) No medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers are allowed to be parked/stored on or exit/enter.
- (3) No workshop activities.
- (4) No vehicle is allowed to queue back to or reverse onto/from public road.
- (5) Submission and implementation of drainage proposal or provision of drainage facilities.
- (6) Maintenance of implemented drainage facilities.
- (7) Submission and implementation of fire service installations proposal.
- (8) Submission and implementation of landscaping and tree preservation proposal.
- (9) Provision of boundary fencing.
- (10) Revocation clauses.
- (11) Reinstatement clause.

Rejected Applications

<u>Application No.</u>	<u>Zoning</u>	<u>Development/Use</u>	<u>Date of Consideration</u>	<u>Rejection Reasons</u>
A/YL-PS/8	“G/IC” & “V”	Temporary Private Car/ Container Vehicle Park for a Period of 12 Months	20.6.1997	(1) to (5)
A/YL-PS/23	“G/IC” & “V”	Temporary Public Lorry, Car and Container Trailer Park for a Period of 3 Years	12.6.1998 (TPB)	(1), (2), (4), (5)
A/YL-PS/27	“G/IC” & “V”	Temporary Car Dismantling Workshop for a Period of 3 Years	26.6.1998 (TPB)	(1), (2), (4), (5)

Reasons for Rejection

- (1) Not in line with planning intentions.
- (2) Incompatible with the surrounding environment and/or village settlements.
- (3) Insufficient information to demonstrate that a satisfactory vehicular access will be provided.
- (4) Insufficient information to demonstrate no adverse visual and/or landscape impacts on the surrounding areas.
- (5) Approval of the application will set an undesirable precedent for other similar applications which will lead to general degradation of the area.

**Similar Applications within the Same “G/IC” Zone
on the draft Ping Shan OZP No. S/YL-PS/17**

Approved Applications

<u>Application No.</u>	<u>Zoning</u>	<u>Development/Use</u>	<u>Date of Consideration</u>	<u>Approval Conditions</u>
A/YL-PS/483	“G/IC”	Proposed Temporary Shop and Wholesale of Construction Materials for a Period of 3 Years	17.7.2015 (Revoked on 17.10.2015)	(1), (2), (4) to (12)
A/YL-PS/503	“G/IC”	Proposed Temporary Shop and Wholesale of Construction Materials for a Period of 3 Years	18.12.2015	(1), (2), (4) to (12)
A/YL-PS/531	“G/IC” & “V”	Proposed Temporary Shop and Wholesale of Construction Materials for a Period of 3 Years	13.1.2017	(1) to (3), (5) to (12)

Approval Conditions

- (1) Restriction on operation hours.
- (2) Only private cars and light goods vehicles not exceeding 5.5 tonnes are allowed to enter/be parked on the Site.
- (3) No medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers are allowed to be parked/stored on or enter/exit
- (4) No workshop activities.
- (5) No vehicle is allowed to queue back to or reverse onto/from public road.
- (6) Submission and/or implementation of drainage proposal.
- (7) Maintenance of implemented drainage facilities.
- (8) Submission and implementation of fire services installations proposal.
- (9) Submission and implementation of landscape proposal.
- (10) Provision of boundary fencing.
- (11) Revocation clauses.
- (12) Reinstatement clause.

Advisory Clauses

- (a) to resolve any land issue relating to the development with the concerned owner(s) of the application site;
- (b) to liaise with locals on their concern on the impact on '*feng shui*' of graves of the Tang clan;
- (c) to note the comments of 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 Tsui Sing Road via Government Land (GL) and private land. His office does not provide maintenance work for GL involved and does not guarantee any right-of-way 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. Such application(s) will be considered by the LandsD acting in the capacity as 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 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 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 UBQ 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 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;
- (e) 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 minimize potential environmental nuisance to the surrounding area;
- (f) to note the comments of the Director of Environmental Protection (DEP) that if the proposed use would involve transportation and/or storage of dusty construction materials, reference should be made to paragraph 4.2 of the COP;
- (g) 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. The applicant shall obtain consent of the owners/managing

departments of the local track for using it as the vehicular access to the Site;

- (h) 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;
- (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;
- (j) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that the approval of the landscape proposal under s16 application does not imply approval of tree works such as pruning, transplanting and felling under lease. Tree works applications should be submitted direct to DLO for approval. In compliance with the “Technical Note on the Submission and Implementation of Landscape Proposals for Compliance with Conditions for Approved Application for Open Storage and Port Back-up Uses”, the applicant should leave adequate spacing between the fence, temporary structures and trees to promote a more sustainable growing environment for the trees. A minimum distance of 600mm between the fence and the tree planting should be provided. The applicant is also advised that there should be a minimum soil provision of 1m (W) x 1m (L) x 1.2m (D) for each tree. Precautious measures such as bollards and/or kerbs should be proposed to prevent damage to the trees. The applicant shall be reminded of the importance of general tree care as well as proper tree maintenance. 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;
- (k) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that for provision of water supply to the development, the applicant may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD’s standards; and
- (l) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that in the interests of public safety and ensuring the continuity of electricity supply,

the parties concerned with planning, designing, organising and supervising any activity near the underground cable or overhead line under the mentioned 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 concerned 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.