

Previous Applications covering the Application Site

Approved Application

<u>Application No.</u>	<u>Use/Development</u>	<u>Date of Consideration (RNTPC)</u>	<u>Approval Conditions</u>
A/YL-PS/459	Proposed Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	31.10.2014	(1) to (13)

Approval Conditions

- (1) No night-time operation.
- (2) Only private cars and light goods vehicles are allowed.
- (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 washing, vehicle repair, dismantling, paint spraying or other workshop activity is allowed.
- (6) No vehicle is allowed to queue back to or reverse onto/from public road.
- (7) Provision of fencing.
- (8) Submission and implementation of drainage proposal.
- (9) Maintenance of implemented drainage facilities.
- (10) Submission and implementation of fire service installations.
- (11) Submission and implementation of landscape and tree preservation proposals.
- (12) Revocation clauses.
- (13) Reinstatement clause.

Rejected Applications

<u>Application No.</u>	<u>Use/Development</u>	<u>Date of Consideration (RNTPC)</u>	<u>Rejection Reasons</u>
A/YL-PS/7	Temporary Container Tractor and Trailer Park for 12 Months	6.6.1997	(1), (2), (3) & (5)
A/YL-PS/92	Proposed Temporary Open Storage of Construction Materials (Pre-cast Cement Products) and Container Trailer Park for a Period of 3 Years	16.2.2001	(1), (3), (4) & (5)
A/YL-PS/114	Proposed Temporary Open Storage of Construction Materials for a Period of 3 Years	14.6.2002	(1), (3) & (5)

Rejection Reasons

- (1) Not in line with the planning intention of the “Residential (Group B)1” zone.
- (2) Portions of the site fall within the resumption limit for Public Works Project Item No. 191CL/B - Ping Shan Development Stage II Phase I and there is insufficient information in the submission to demonstrate that the development will not adversely affect the implementation of the project.
- (3) Insufficient information to demonstrate no adverse noise/environmental/drainage/traffic/visual impacts on the surrounding areas.
- (4) The access track to the application site ran parallel along the Light rail transit (LRT) tracks and Ping Pak Lane is a single track road which is not suitable for container vehicular traffic. There is insufficient information in the submission to demonstrate that the proposed development would have no adverse traffic impact on the area and would not pose risk to the operation of the LRT as well as the road users of Ping Kwai Road and Ping Pak Lane
- (5) Undesirable precedent.

**Similar Applications within the same “R(B)1” zone
on the approved Ping Shan OZP No. S/YL-PS/18**

Approved Applications

<u>Application No.</u>	<u>Zoning</u> (at the time of approval)	<u>Development/Use</u>	<u>Date of Consideration</u> <u>(RNTPC)</u>	<u>Approval Conditions</u>
A/YL-PS/370	“R(B)1”	Temporary Public Vehicle Park for Private Cars and Ancillary Storerooms For a Period of 3 Years	24.2.2012	(1), (3), (5), (8), (10), (12), (13), (14), (16) & (17)
A/YL-PS/380	“R(B)1”	Proposed Temporary Public Vehicle Park for Private Cars for a Period of 3 Years	1.6.2012 (Revoked on 1.12.2012)	(1), (3), (5), (8), (10), (13), (14), (16) & (17)
A/YL-PS/448	“R(B)1”	Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles (Not Exceeding 5.5 Tonnes) for a Period of 3 Years	13.6.2014 (Revoked on 8.5.2015)	(1), (2), (4), (5), (6), (7), (8), (10), (13), (14), (15), (16) & (17)
A/YL-PS/462	“R(B)1”	Proposed Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	12.12.2014 (Revoked on 8.5.2015)	(1), (2), (4), (5), (6), (7), (8), (10), (11), (13), (14), (16) & (17)
A/YL-PS/467	“R(B)1”	Temporary Public Vehicle Park (Private Cars) and Ancillary Storeroom for a Period of 3 Years	16.1.2015	(1), (2), (4), (5), (6), (7), (9), (11), (12), (13), (14), (16) & (17)
A/YL-PS/546	“R(B)1”	Proposed Temporary Public Vehicle Park for Private Car for a Period of 3 Years	27.10.2017	(1), (2), (4), (5), (6), (7), (8), (10), (11), (13), (14), (16) & (17)

Approval Conditions

- (1) No night time operation.
- (2) No parking/storage of vehicles without valid licences issued under the Road Traffic Ordinance.
- (3) No parking of medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractor or trailer.
- (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 vehicle washing/repairing/dismantling/paint spraying and other workshop uses/activities.
- (7) No vehicle is allowed to queue back to or reverse onto/from public road.
- (8) Submission and implementation of the tree preservation and/or landscape proposal.
- (9) Maintenance of existing trees.
- (10) Submission and implementation of (revised) drainage proposal/provision of drainage facilities.
- (11) Maintenance of existing/implemented drainage facilities.
- (12) Submission of condition record of existing drainage facilities.
- (13) Submission and implementation of fire services installations proposal.
- (14) Provision of peripheral/boundary fencing.
- (15) Provision of paving.
- (16) Revocation clauses.
- (17) Reinstatement clause.

Advisory Clauses

- (a) to resolve any land issue relating to the development with the concerned owner(s) of the Site;
- (b) 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 the prior approval of the Government. The Site is accessible from Ping Kwai Road via government land (GL). His office does not provide maintenance work for GL involved and does not guarantee any right-of-way over the GL to the Site. The lot owner(s) will need to apply to his office to permit the structures to be erected or regularize any irregularities on Site, if any. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. No construction of New Territories Exempted Building(s) will be considered or allowed. Applications for any of the above 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 will be approved. If such application 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;
- (c) to note the comments of the Chief Building Surveyor/New Territories West (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 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 and land filling) are to be carried out on 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;
- (d) to note the comments of the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD) that sufficient manoeuvring spaces 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;
- (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 Ping Kwai Road;

- (f) to follow the relevant mitigation measures and requirements in the latest “Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites”;
- (g) 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 layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSIs 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; and
- (h) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that in consideration of the temporary nature of the application and site constraints, the applicant may wish to consider planting tree species of short life span habit or less vigorous root system in lieu of the *Ficus microcarpa* in event of any tree requiring replacement. 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.