

Previous s.16 Applications Covering the Application Site

Rejected Applications

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

Rejection Reasons

- (1) Not in line with planning intention
- (2) Incompatible with surrounding land uses
- (3) Insufficient information to demonstrate that a satisfactory access road will be provided to serve the development
- (4) Insufficient information on landscaping aspects
- (5) Undesirable precedent

Similar Applications within the same “V” zone

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/310	“V”	Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	6.11.2009	(1), (2), (5), (9), (12), (13), (16), (19), (22) & (23)
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	(2), (4), (5), (9), (12), (13), (16), (17), (22) & (23)
A/YL-PS/366	“V” & “OU(Heritage and Cultural Tourism Related Uses)” (“OU(HCTRU)”)	Temporary Public Vehicle Park for Private Car and Light Goods Vehicles a Period of 3 Years	10.2.2012	(2), (4), (5), (9), (14), (15), (16), (17), (22) & (23)
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), (2), (4), (5), (8), (10), (11), (13), (15), (16), (22) & (23)
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), (2), (4), (5), (8), (9), (12), (14) to (17), (22) & (23)
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 (up to 6.11.2015)	(1), (2), (4) to (6), (8), (9), (14) to (16), (20) to (23)
A/YL-PS/410	“V”	Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	21.6.2013	(1), (2), (4) to (6), (9), (13), (14), (16), (20), (22) & (23)
A/YL-PS/425	“V”	Temporary Public Vehicle Park for Private Car and Light Van for a Period of 3 Years	13.12.2013	(1), (2), (4) to (6), (9), (13), (16), (17), (22) & (23)
A/YL-PS/452	“V”	Proposed Temporary Public Vehicle park for Private Cars for a Period of 3 Years	14.11.2014	(1), (3), (4) to (7), (9), (12), (14), (16), (17), (22) & (23)
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	16.1.2015 (up to 20.1.2018)	(1), (3), (4) to (7), (10), (14) to (16), (22) & (23)

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		Years		
A/YL-PS/468	“V” & “OU(HCTRU)”	Renewal of Planning Approval for Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years	6.2.2015 (revoked on 11.11.2016)	(1), (3), (4), (5), (6), (7), (9), (14), (15), (16), (18), (22) & (23)
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), (3), (4) to (9), (13), (15), (16), (18), (22) & (23)
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), (3), (4) to (9), (12), (14) to (17), (22) & (23)
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), (2), (4) to (7), (9), (12), (14), (16), (17), (22) & (23)
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), (3), (4) to (9), (14) to (17), (21) to (23)
A/YL-PS/516	“V”	Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years	22.4.2016	(1), (2), (4) to (7), (9), (12), (14), (16), (17), (22) & (23)
A/YL-PS/522	“V” & “OU(HCTRU)”	Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years	12.8.2016	(1), (2), (4) to (7), (9), (14) to (17), (22) & (23)
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), (2), (4) to (9), (14) to (17), (21), (22) & (23)
A/YL-PS/549	“V”	Temporary Public Vehicle Park (Private Car and Light Goods Vehicle) for a Period of 3 Years	26.1.2018	(1), (2), (4) to (7), (10), (14) to (16), (18), (22) & (23)
A/YL-PS/553	“V”	Temporary Public Vehicle Park for Private Cars for a Period of 3 Years	2.3.2018 (revoked on 13.8.2018)	(1), (3), (4) to (8), (10), (14), (16), (17), (22) & (23)
A/YL-PS/554	“V”	Temporary Public Vehicle Park for Private Cars for a Period of 3 Years	2.3.2018	(1), (3), (4) to (7), (10), (14) to(16), (22) & (23)
A/YL-PS/561	“V”	Temporary Public Vehicle Park for Private Cars for a	6.7.2018	(1), (3), (4) to (7), (12), (14),

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		Period of 3 Years		(16), (17), (22) & (23)
A/YL-PS/562	“V”	Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	20.7.2018	(1), (2), (4) to (7), (10), (14) to (16), (18), (22) & (23)
A/YL-PS/583	“V”	Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years	22.3.2019	(1), (2), (4) to (7), (10), (14) to (16), (18) & (22)
A/YL-PS/585	“V”	Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years	17.5.2019	(1), (3), (4) to (9), (12), (14) to (17) & (22)
A/YL-PS/589	“V”, “CDA”, “R(B)1” & “R(E)2”	Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	19.7.2019	(1), (2), (4) to (7), (10), (15), (16), (18) & (22)
A/YL-PS/592	“V”	Temporary Public Vehicle Park for Private Car for a Period of 3 Years	4.10.2019	(1) to (3), (5) to (7), (10), (14) to (16), (18), (22) & (23)
A/YL-PS/594	“V” & “OU(HCTRU)”	Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	4.10.2019	(1), (2), (4) to (7), (10), (14) to (16), (18), (22) & (23)

Approval Conditions

- (1) No parking/storage of vehicles without valid licences issued under the Road Traffic Ordinance.
- (2) 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.
- (3) Only private cars (and light goods vehicles) are allowed to enter/be parked.
- (4) Posting notice at a prominent location to indicate the types of vehicle allowed to enter/be parked.
- (5) No night time operation.
- (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) Posting notice at a prominent location to remind drivers on pedestrian safety on access road.
- (9) Submission and/or implementation of the (accepted) tree preservation and/or landscape proposal(s).
- (10) Maintenance of (existing) landscape planting/vegetation/trees, including replacement of dead plants.
- (11) Submission of tree survey plan and schedule.
- (12) Submission and/or implementation of (accepted) drainage proposal/Drainage Impact Assessment/implementation of flood mitigation measures identified therein.
- (13) Provision of drainage facilities proposed.
- (14) Maintenance of (existing/implemented) drainage facilities.
- (15) Submission of condition record of existing drainage facilities.
- (16) Submission and/or implementation of fire services installations proposal or provision of fire service installations proposed.
- (17) Provision of peripheral/boundary fencing.

- (18) Maintenance of existing peripheral/boundary fencing.
- (19) Provision of paving and fencing.
- (20) Maintenance of (existing) paving and/or fencing.
- (21) A minimum of 3.5m set back from the northern, eastern and southern boundaries.
- (22) Revocation Clauses.
- (23) Reinstatement Clause.

Advisory Clauses

- (a) to resolve any land issues relating to the development with other 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 Tsui Sing Road via GL and private land. 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 regularise any irregularities on site, if any. Besides, given the proposed use is temporary in nature, only application for regularisation 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 Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD) that sufficient manoeuvring space shall be provided within the Site. 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;
- (d) 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. Currently, only the section of Tsui Sing Road of about 120m abutting Ping Ha Road is maintained by HyD. HyD shall not be responsible for the maintenance of any access connecting the Site and the section of Tsui Sing Road being maintained by HyD;
- (e) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that the applicant is reminded that the development should neither obstruct overland flow nor adversely affect existing stream course, natural streams, village drains, ditches and the adjacent areas. The applicant should consult DLO/YL and seek consent from the relevant owners for any works to be carried out outside his lot boundary before commencement of the drainage works;
- (f) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the proposal, 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 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 (BO) (Cap. 123), detailed fire services requirements will be formulated upon receipt of formal submission of general building plans;
- (g) 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 approval of BD, they are unauthorized building works (UBW) under the 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 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, demolition and land filling) are to be carried out on the Site, prior approval and consent of BD should be obtained, otherwise they are UBW. An Authorised Person 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. The Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage; and

- (h) 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" ("COP").