

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/165	“U”	Temporary flea market (on Sat, Sun & PH only) for a Period of 3 Years	21.11.2003 (revoked on 21.2.2005)	(5), (6), (8) & (9)
A/YL-PS/189	“U”	Temporary Flea Market (on Saturdays, Sundays and Public Holidays only) for a Period of 3 Years	13.8.2004 (revoked on 13.2.2005)	(5), (6), (8) & (9)
A/YL-PS/237	“U”	Temporary Open Air Barbecue Area for a Period of 3 Years	22.9.2006 (TPB) (12 months)	(5), (6), (8), (9) & (12)
A/YL-PS/272	“U”	Renewal of Planning Approval for Temporary Open Air Barbecue Area for a Period of 3 Years	14.9.2007 (12 months) (revoked on 14.5.2008)	(5), (10) to (13) & (17)
A/YL-PS/293	“U”	Temporary Public Vehicle Park for Private Car and Light Van for a Period of 3 Years	13.2.2009	(1), (2), (5), (8), to (12), (16), (18) to (20)
A/YL-PS/366	“V” & “OU(HCTRU)”	Proposed Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	10.2.2012	(2), (4), (5), (8) to (12), (14) & (15)
A/YL-PS/468	“V” & “OU(HCTRU)”	Renewal of Planning Approval for Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	6.2.2015 (revoked on 11.11.2016)	(1), (3), (4) to (11), (13) to (15)
A/YL-PS/522	“V” & “OU(HCTRU)”	Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	12.8.2016	(1), (2), (4) to (11), (13) to (15)
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) to (12), (14) & (15)

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/restriction on operation hours.
- (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/or implementation of the (accepted) tree preservation and/or landscape proposal(s).
- (9) Submission and/or implementation of the drainage proposal(s).
- (10) Maintenance of (existing/implemented) drainage facilities.
- (11) Submission of condition record of existing drainage facilities.
- (12) Submission and/or implementation of fire services installations proposal or provision of fire service installations proposed.
- (13) Provision of peripheral/boundary fencing.
- (14) Maintenance of existing peripheral/boundary fencing.
- (15) Revocation Clauses.
- (16) Reinstatement Clause.
- (17) No public announcement system, portable loudspeaker or any form of audio amplification system.
- (18) Provision of warning notice and measures on pedestrian safety.
- (19) No additional structure or advertisement signboard.
- (20) Provision of waterworks reserve.

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/171	“U”	Temporary flea market for a Period of 3 Years	4.6.2004 (TPB)	(1) to (2)
A/YL-PS/225	“U”	Temporary Open Air Barbecue Area for a Period of 3 Years	18.11.2005 (TPB)	(2) to (4)

Reasons for Rejection

- (1) The flea market, which involved an extension in area from the previously approved scheme and the time of operation, would adversely affect the immediate adjacent Tsui Sing Lau Pagoda, which is a declared monument
- (2) Insufficient information to demonstrate that the development would generate no adverse traffic, drainage and/or landscaping impacts on the surrounding areas
- (3) Not compatible with the surrounding developments.
- (4) Undesirable precedent.

**Similar Applications within the Same “V” Zone
on the Approved Ping Shan OZP No. S/YL-PS/18**

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/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/382	" V"	Temporary Public Vehicle Park for Private Car 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 Vehicle 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"	Proposed 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"	Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	16.1.2015 (up to 20.1.2018)	(1), (3), (4) to (7), (10), (14) to (16), (22) & (23)
A/YL-PS/479	" V"	Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles 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	6.11.2015 (revoked on	(1), (3), (4) to (9), (14) to (17),

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		Goods Vehicles) for a Period of 3 Years	6.8.2016)	(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/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 Period of 3 Years	6.7.2018 (revoked on 6.4.2020)	(1), (3), (4) to (7), (12), (14), (16), (17), (22) & (23)
A/YL-PS/562	" V"	Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) 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", "R(E)2", "R(B)1" & "CDA"	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 Cars for a Period of 3 Years	4.10.2019	(1), (3) to (7), (10), (14) to (16), (18), (22)
A/YL-PS/595	"V"	Proposed Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	1.11.2019	(1), (3), (4) to (7), (12), (14), (16), (18), (22)
A/YL-PS/606	"V"	Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years	10.7.2020	(1), (2), (4) to (7), (10), (14) to (16), (18) & (22)

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 issue relating to the development with other owner(s) of the Site;
- (b) prior planning permission should have been obtained before commencing the applied use at the Site;
- (c) to note the comments of District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that:
 - (i) the Site comprises GL and 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;
 - (ii) within the Site, the following private lots are currently covered by Short Term Waivers (STWs) whereas portion of GL therein is covered by Short Term Tenancy (STT), details of which are listed below:

Lot No./GL in D.D. 122	STW/STT No.	Permitted Use
384	STW 3170	Private Residential Purpose
390	STW 3587	Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles (not exceeding 5.5 tonnes)
GL	STT 2631	Ancillary Use to Public Vehicle Park for Private Cars and Light Goods Vehicles

- (iii) the STW/STT holder(s) will need to apply to his office for modification of the STW/STT conditions where appropriate and the lot owner(s) of the lot(s) without STW will need to apply to his office to permit the structures erected or to be erected or to regularise any irregularities on the Site. Besides, given the proposed use is temporary in nature, only application for regularisation or erection of temporary structure(s) will be considered. Applications for any of the above will be considered by 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 rent or fee, as may be imposed by LandsD;
- (d) to note the comments of the Commissioner for Transport (C for T) 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;
- (e) to note the comments of the Chief Highways Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
 - (i) adequate drainage measures should be provided at the site access to prevent surface water flowing from the site to nearby public roads/drains; and

- (ii) 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;
- (f) to follow the relevant mitigation measures and requirements in the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites” (COP) issued by the Environmental Protection Department;
- (g) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) 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; and
 - (ii) 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;
- (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 there shall be no parking within 1m of any tree;
- (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. 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, and the location of where the proposed FSIs to be installed should be clearly marked on the layout plans. However, the applicant should be reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (BO) (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 Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
 - (i) if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the Building Authority (BA), they are unauthorised building works (UBW) under BO and should not be designated for any proposed use under the captioned application;
 - (ii) for UBW erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with the prevailing 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 application site under BO;

- (iii) before any new building works (including containers/open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on application site, prior approval and consent of BA 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 BO;
- (iv) 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;
- (v) 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 building plan submission stage;
- (vi) any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings are subject to the control of Part VII of B(P)R; and
- (vii) detailed checking under BO will be carried out at building plan submission stage.