

**Previous Applications covering the Application Site**

**Approved Applications**

<b><u>Application No.</u></b>	<b><u>Zoning</u></b>	<b><u>Development/Use</u></b>	<b><u>Date of Consideration</u></b>	<b><u>Approval Conditions</u></b>
A/YL-PS/580	“R(B)1”	Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years	31.5.2019	(1) to (12)

**Approval Conditions**

- (1) No medium and heavy goods vehicles (including container trailer/tractor) is allowed to enter/be parked on the Site
- (2) Site notice be posted indicating types of vehicles allow to enter/be parked on the Site
- (3) No vehicle without valid licences is allowed to enter/be parked on the Site
- (4) No queue back to or reverse onto/from public road
- (5) Maintenance of existing vegetation
- (6) Provision of boundary fencing
- (7) Implementation of accepted drainage proposal
- (8) Maintenance of drainage facilities
- (9) Submission and implementation of fire service installations proposal
- (10) Submission and implementation of road connection or run-in/out proposal
- (11) Revocation clauses

## Rejected Applications

<u>Application No.</u>	<u>Use/Development</u>	<u>Date of Consideration</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/89	Temporary Vehicle and Container Tractor and Trailer Park for a Period of 3 Years	22.12.2000	(1), (3) & (5)
A/YL-PS/114	Proposed Temporary Open Storage of Construction Materials for a Period of 3 Years	14.6.2002	(1), (3) & (5)
A/YL-PS/491	Proposed Temporary Open Storage of Building Materials with Ancillary Office for a Period of 3 Years	8.1.2016	(1), (4) & (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) Not in line with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13E)
- (5) Undesirable precedent.

**Similar Applications within the same “R(B)1” zone**

**Approved Applications**

<b><u>Application No.</u></b>	<b><u>Development/Use</u></b>	<b><u>Date of Consideration</u></b>	<b><u>Approval Conditions</u></b>
A/YL-PS/370	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	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/403	Temporary Public Vehicle Park for Private Car and Light Van for a Period of 3 Years	8.2.2013 (revoked on 8.8.2013)	(1), (3), (5), (6), (8), (10), (13) to (16), (17)
A/YL-PS/448	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) to (8), (10), (13), (14), (15), (16) & (17)
A/YL-PS/459	Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	31.10.2014	(1), (2), (4) to (8), (10), (13), (14), (16), (17)
A/YL-PS/462	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) to (8), (10), (11), (13), (14), (16) & (17)
A/YL-PS/467	Temporary Public Vehicle Park (Private Cars) and Ancillary Storeroom for a Period of 3 Years	16.1.2015	(1), (2), (4) to (7), (9), (11) to (14), (16) & (17)
A/YL-PS/546	Temporary Public Vehicle Park for Private Car for a Period of 3 Years	27.10.2017 (revoked on 27.3.2020)	(1), (2), (4) to (8), (10), (11), (13), (14), (16) & (17)
A/YL-PS/569	Temporary Public Vehicle Park for Private Car for a Period of 3 Years	2.11.2018	(1), (2), (4) to (8), (10), (11), (13), (14), (16) & (17)
A/YL-PS/608	Temporary Public Vehicle Park for Private Car for a Period of 3 Years	10.7.2020	(1), (2), (4) to (8), (11) to (14) & (16)

## 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 workshop activities.
- (7) No vehicle is allowed to queue back to or reverse onto/from public road.
- (8) Submission and implementation/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/Maintenance 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 structure is allowed to be erected without the prior approval of the Government. The lot owner(s) will need to apply to his office to permit the structures to be erected or to regularise any irregularities on the 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. 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;
- (c) 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 his 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 Highways 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 Pak Lane;
- (e) to note the comments of the Director of Environmental Protection (DEP) that:
  - (i) to follow the relevant mitigation measures and requirements in the latest “Code of Practice on Handling the Environmental Aspect of Temporary Uses and Open Storage Sites” (“COP”) to minimise any potential environmental nuisance;
  - (ii) to meet all statutory requirements under relevant pollution control ordinances, including Water Pollution Control Ordinance, and provide necessary mitigation measures; and
  - (iii) to provide suitable treatment facilities to handle sewage arising from the Site. If septic tank and soakaway system will be used in case of unavailable of public sewer, its design and construction should follow the requirements of the EPD’s Practice Note for Professional Person (ProPECC) PN 5/93 “Drainage Plans subject to Comment by the Environmental Protection Department” including percolation test;
- (f) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that the applicant is advised that the approval of section 16 application by the Board does not imply approval of the tree

works such as pruning, transplanting and/or felling under lease. The applicant is reminded to approach relevant authority/government department(s) direct to obtain the necessary approval on tree works:

- (g) to note the comments of the Director of Fire Services (D of FS) that:
  - (i) 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 for his approval;
  - (ii) 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; and
  - (iii) 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 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, they are unauthorised building works (UBW) under BO and should not be designated for any proposed use under the 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 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 the Site, prior approval and consent of BA should be obtained, otherwise they are UBW. An Authorised Person should be appointed as the coordinator 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 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.