

**Relevant Extracts of Town Planning Board Guidelines
on Renewal of Planning Approval and Extension of Time for Compliance
with Planning Conditions for Temporary Use or Development
(TPB PG-No. 34C)**

1. The criteria for assessing applications for renewal of planning approval include:
 - (a) whether there has been any material change in planning circumstances since the previous temporary approval was granted (such as a change in the planning policy/land-use zoning for the area) or a change in the land uses of the surrounding areas;
 - (b) whether there are any adverse planning implications arising from the renewal of the planning approval (such as pre-emption of planned permanent development);
 - (c) whether the planning conditions under previous approval have been complied with to the satisfaction of relevant Government departments within the specified time limits;
 - (d) whether the approval period sought is reasonable; and
 - (e) any other relevant considerations.

2. Under normal circumstances, the approval period for renewal should not be longer than the original validity period of the temporary approval. In general, the Board is unlikely to grant an approval period exceeding three years unless there are strong justifications and the period is allowed for under the relevant statutory plans. Depending on the circumstances of each case, the Board could determine the appropriate approval period, which may be shorter than the time under request.

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/363	“V”	Proposed Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	20.1.2012	(1), (2), (4), (9), (10), (13), (15), (16) & (17)
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 Years	16.1.2015	(1), (3), (5) to (8), (11), (12), (14) to (17)
A/YL-PS/554	“V”	Proposed Temporary Public Vehicle Park for Private Cars for a Period of 3 Years	2.3.2018	(1), (3), (4), (6), to (8), (11), (12), (14) to (17)

Approval Conditions

- (1) Restriction on operation hours.
- (2) No medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractor/trailers, as defined in the Road Traffic Ordinance, to be parked on the Site.
- (3) Only private cars and light goods vehicles as defined in the Road Traffic Ordinance are allowed to enter/be parked on the Site.
- (4) A notice be posted at prominent location of the Site to indicate that no medium or heavy goods vehicles (i.e. exceeding 5.5 tonnes), including container tractor/trailer as defined in the Road Traffic Ordinance, to be parked on the Site.
- (5) A notice be posted at prominent location of the Site to indicate that only private cars and light goods vehicles as defined in the Road Traffic Ordinance are allowed to enter/be parked on the Site.
- (6) No vehicle without valid licence is allowed to be parked/stored on the Site.
- (7) No workshop activity is allowed on the Site.
- (8) No vehicle is allowed to queue back to or reverse onto/from public road is allowed.
- (9) Provision of boundary fencing.
- (10) Submission and implementation of drainage proposal or provision of drainage facilities.
- (11) Maintenance of existing drainage facilities.
- (12) Submission of record of existing drainage facilities.
- (13) Submission and implementation of landscaping and tree preservation proposal.
- (14) Maintenance of existing trees.
- (15) Submission and implementation of fire service installations proposal.
- (16) Revocation clauses.
- (17) Reinstatement clause.

Rejected Application

<u>Application No.</u>	<u>Zoning</u>	<u>Development/Use</u>	<u>Date of Consideration</u>	<u>Rejection Reasons</u>
A/YL-PS/178	“U”	Temporary Barbecue Area for a Period of 3 Years	3.9.2004	(1) to (3)

Reasons for Rejection

- (1) Not compatible with the surrounding developments including the residential developments to immediately north and south of the Site as well as the secondary school to the west of the Site.
- (2) Insufficient information to demonstrate no adverse landscaping and drainage impacts on the surrounding areas.
- (3) Undesirable precedent.

Similar Applications within the Same “V” Zone

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/366	“V” & “OU (Heritage and Cultural Tourism Related Uses)” (“OU(HCTRU)”)	Proposed Temporary Public Vehicle Park for Private Car and Light Goods Vehicles a Period of 3 Years	10.2.2012	(2), (5), (6), (10), (15) to (18), (23) & (24)
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), (5), (6), (9), (11), (12), (15) to (17), (23) & (24)
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), (5), (6), (9), (10), (15) to (18), (23) & (24)
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), (5), (6), (7), (9), (10), (15) to (17), (21) to (24)
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), (5), (6), (7), (10), (14), (15), (17), (21), (23) & (24)
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), (3), (5), (6), (7), (10), (14), (17), (18), (23) & (24)
A/YL-PS/452	“V”	Proposed Temporary Public Vehicle park for Private Cars for a Period of 3 Years	14.11.2014	(1), (4) to (8), (10), (13), (15), (17), (18), (23) & (24)
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), (4) to (8), (10), (15), (16), (17), (19), (23) & (24)
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), (4) to (10), (15) to (17), (21), (23) & (24)
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), (4) to (10), (15) to (18), (23) & (24)
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), (5) to (8), (10), (13), (15), (17), (18), (23) & (24)

<u>Application No.</u>	<u>Zoning</u>	<u>Development/Use</u>	<u>Date of Consideration</u>	<u>Approval Conditions</u>
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), (4) to (10), (15) to (18), (22), (23) & (24)
A/YL-PS/516	“V”	Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years	22.4.2016	(1), (2), (5) to (8), (10), (13), (15), (17), (20), (23) & (24)
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), (5) to (8), (10), (15) to (18), (23) & (24)
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), (5) to (10), (15) to (17), (20), (22) to (24)
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), (5) to (8), (11), (15) to (17), (21), (23) & (24)
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), (4) to (9), (11), (15) to (17), (21), (23) & (24)
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), (4) to (8), (13), (15), (17), (18), (23) & (24)
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), (4) to (8), (11), (15) to (17), (19), (23) & (24)
A/YL-PS/583	“V”	Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years	22.3.2019	(1), (3), (5) to (8), (11), (15) to (17), (19) & (23)
A/YL-PS/585	“V”	Proposed Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years	17.5.2019	(1), (3), (5) to (8), (11), (15) to (17), (19) & (23)
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), (5) to (8), (11), (15) to (17), (19) & (23)
A/YL-PS/592	“V”	Temporary Public Vehicle Park for Private Cars for a Period of 3 Years	4.10.2019	(1), (4) to (8), (11), (15) to (17), (19) & (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), (5) to (8), (11), (15) to (17), (19) & (23)
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), (4) to (8), (13), (15), (17), (18) & (23)
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), (5) to (8), (11), (15) to (17), (19) & (23)

<u>Application No.</u>	<u>Zoning</u>	<u>Development/Use</u>	<u>Date of Consideration</u>	<u>Approval Conditions</u>
A/YL-PS/625	“V”	Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	22.1.2021	(1), (2), (5) to (8), (11), (13), (17), (19) & (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) No light goods vehicles (except vans), medium or heavy goods vehicle exceeding 3.5 tonnes, including container tractor/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 night time operation.
- (7) No workshop uses/activities.
- (8) No vehicle is allowed to queue back to or reverse onto/from public road.
- (9) Posting notice at a prominent location to remind drivers on pedestrian safety on access road.
- (10) Submission and/or implementation of the (accepted) tree preservation and/or landscape proposal(s).
- (11) Maintenance of (existing) landscape planting/vegetation/trees, including replacement of dead plants.
- (12) Submission of tree survey plan and schedule.
- (13) Submission and/or implementation of (accepted) drainage proposal.
- (14) Provision of drainage facilities proposed.
- (15) Maintenance of (existing/implemented) drainage facilities.
- (16) Submission of condition record of existing drainage facilities.
- (17) Submission and/or implementation of fire services installations proposal or provision of fire service installations proposed.
- (18) Provision of peripheral/boundary fencing.
- (19) Maintenance of existing peripheral/boundary fencing.
- (20) Provision of paving and fencing.
- (21) Maintenance of (existing) paving and/or fencing.
- (22) A minimum of 3.5m set back from the northern, eastern and southern boundaries.
- (23) Revocation Clauses.
- (24) Reinstatement Clause.

Advisory Clauses

- (a) to resolve any land issue 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;
- (c) to note the comments of the Commissioner for Transport (C for T) that sufficient manoeuvring space shall be provided within 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. 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 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;
- (f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that the applicant is reminded that the required condition record should include coloured photos showing the current condition of the drainage facilities and a layout plan indicating the locations of the photos taken. The submitted photos should cover all internal surface channels, catchpits, sandtraps, manholes, terminal catch pits/manholes and the downstream discharge path as indicated on the submitted drainage proposal;
- (g) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that:
 - (i) with reference to the site photos taken by his office, a dead tree at the southern boundary and a *Roystonea regia* (王棕) with a large open cavity adjacent to the eastern access are observed within the Site. The applicant shall carry out appropriate remedial actions, i.e. tree replacement in a timely manner;
 - (ii) it is noted the existing tree planting area is encroached by car parking. The applicant is advised to install wheel stops or concrete barriers at a minimum distance of 1m from the planting area to protect the trees from damage by vehicles;
- (h) 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;
- (iii) the location of where the proposed FSI to be installed should be clearly marked on the layout plans; and
- (iv) 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.