

Previous Application covering the Application Site

Approved Application

	<u>Application No.</u>	<u>Proposed Use(s)</u>	<u>Date of Consideration (RNTPC)</u>	<u>Approval Condition(s)</u>
1	A/YL-TT/397	Temporary Office and Vehicle Park for Company Cars for a Period of 3 Years	3.2.2017 [revoked on 3.5.2019]	(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13)

Approval Conditions

- (1) No operation between 7:00 p.m. and 11:00 a.m.
- (2) No operation between 5:00 p.m. and 11:00 a.m. on Sundays and public holidays.
- (3) No vehicle without valid license issued under the Road Traffic Ordinance is allowed to be parked/stored on the Site.
- (4) No medium/heavy goods vehicles, including container trailer/tractor, is allowed to be parked/stored on the Site.
- (5) No vehicle is allowed to queue back to or reverse onto/from public road.
- (6) Provision of boundary fencing on the Site.
- (7) Submission and implementation of run-in/out proposal.
- (8) Submission and implementation of landscape and tree preservation proposal.
- (9) Submission and implementation of drainage proposal.
- (10) Maintenance of implemented drainage facilities.
- (11) Submission and implementation of fire service installations proposal.
- (12) Revocation of planning approval if conditions not complied with by a given date/at any time during the approval period.
- (13) Reinstatement of the Site to an amenity area upon expiry of planning permission.

Advisory clauses

- (a) prior planning permission should have been obtained before commencing the applied use at the application site (the Site);
- (b) shorter compliance period is imposed in order to monitor the progress of compliance with approval conditions. Should you fail to comply with any of the approval conditions again resulting in the revocation of planning permission, sympathetic consideration may not be given to any further applications;
- (c) to note the comments of the 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 Sham Chung Road via Government Land (GL). Her office provides no maintenance work for the GL involved and does not guarantee any right-of-way over the GL to the Site. The lot(s) owner(s) will need to apply to her 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 regularization or erection of temporary structure(s) will be considered. No construction of New Territories Exempted Building(s) will be considered by her department 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 her department;
- (d) to note the comments of the Commissioner for Transport that the land status of the parcel of land or slope in front of the vehicular ingress/egress of the Site should be checked with the lands authority. The management and maintenance responsibilities of the parcel of land or slope in front of the vehicular ingress/egress of the Site should be clarified and consulted with the relevant management and maintenance authorities accordingly. Sufficient space within the Site should be provided for access and manoeuvring of vehicles. In addition, no parking, queuing and reverse movement of vehicles on public road are allowed;
- (e) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department that the applicant should provide the run-in/out at Sham Chung Road in accordance with the latest version of Highways Standard Drawing No. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement. The proposed run-in/out will affect the existing lamppost no. BD0254, please contact the Lighting Division of his office for relocation of lamppost. The applicant should relocate the existing gully abutting the proposed run-in/out to the satisfactory of his department. Any damage to the public carriageway, footpath, road drainage and other street furniture due to this application shall be made good to the satisfaction of his department at the applicant's cost. Adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to nearby public roads/drains. His department shall not be responsible for the maintenance of any access connecting the Site and Tai Shu Ha Road East;
- (f) to note the comments of the Director of Environmental Protection that it is the obligation of the applicant to comply with all relevant ordinances in Hong Kong, including the Air Pollution Control Ordinance. In addition, the applicant is advised to follow the relevant mitigation measures and requirements in the revised "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" issued by the

Environmental Protection Department to minimise any potential environmental nuisances;

- (g) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that the applicant is advised that approval of the planning application does not imply approval of the tree works such as pruning, transplanting and/or felling under lease. Applicant is reminded to approach relevant authority/government department(s) direct to obtain the necessary approval on tree works. There shall be no parking or stacking of materials within 1m of any tree. The applicant is reminded of the importance of undertaking proper tree care for existing trees within the Site. Useful information published by the Greening, Landscape and Tree Management Section, Development Bureau on general tree maintenance and tree risk management is available for reference in the following links:
- Pictorial Guide for Tree Maintenance (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
 - Handbook on Tree Management (樹木管理手冊):
https://www.greening.gov.hk/tc/tree_care/Handbook_on_Tree_Management.html
 - Tree Risk Assessment and Management Arrangement (樹木風險評估及管理安排):
https://www.greening.gov.hk/tc/tree_care/tra_arrangements.html
 - Minimising Tree Risks (護養樹木保障安全):
http://www.greening.gov.hk/filemanager/content/pdf/tree_care/Chinese_Leaflet_Big_font_size_v1_2012_03_29.pdf
 - Pictorial Guide for Tree Maintenance to Reduce Tree Risks (減低樹木風險的樹木護養簡易圖解):
[http://www.greening.gov.hk/filemanager/content/pdf/tree_care/PictorialGuideForTreeMaintenanceToReduceTreeRisk\(eng\).pdf](http://www.greening.gov.hk/filemanager/content/pdf/tree_care/PictorialGuideForTreeMaintenanceToReduceTreeRisk(eng).pdf)
- (h) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (DSD) on the submitted drainage proposal that the applicant should advise the outlet of the 300mm surface channel from point B to point L (i.e. western side of the Site) as he notes that this part of the surface channel is not connecting to the catchpit at point G. In addition, the applicant should clarify as he notes that the same surface channel from point C to point E and from point E to point G are in opposite direction according to the arrow on the drawing. The development should neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc. The applicant should consult DLO/YL and seek consent from the relevant owners for any drainage works to be carried out outside his lot boundary before commencement of the drainage works. The applicant should submit form HBP1 to his Division for application of technical audit for any proposed connection to DSD's drainage facilities;
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that if the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the BD, they are unauthorised 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 the Site, prior approval and consent of the 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. 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 B(P)R at the building plan submission stage;

- (j) to note the comments of the Director of Fire Services 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 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 BO (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;
- (k) to note the comments of the Director of Electrical and Mechanical Services that there is a high pressure underground town gas transmission pipeline (running along Yuen Long Highway) in the vicinity of the Site (**Plan A-2** of this RNTPC paper). The project proponent/consultant/works contractor shall therefore liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of the existing or planned gas pipes/gas installations in the vicinity of the Site and any required minimum set back distance away from them during the design and construction stages of development. The project proponent/consultant/works contractor is required to observe his department's requirements on the "Avoidance of Damage to Gas Pipes 2nd Edition" for reference. The webpage address is: [https://www.emsd.gov.hk/filemanager/en/content_286/CoP_gas_pipes_2nd_\(Eng\).pdf](https://www.emsd.gov.hk/filemanager/en/content_286/CoP_gas_pipes_2nd_(Eng).pdf) ; and
- (l) to note the comments of the Project Manager (West), Civil Engineering and Development Department that the Site might be subject to land resumption for the implementation of the Yuen Long South (YLS) Development which might take place at any time before the expiry of the temporary planning permission. The Site falls within the boundary of YLS Development – Stage 1. To meet the target first population intake by Q1 of 2028, land clearance is planned to commence in Q3 of 2021 subject to Executive Council's authorisation on land resumption and Finance Committee's funding approval of the project by early 2021 and mid 2021 respectively. His department will give sufficient notice to relevant department(s) for early termination of the Site if his department's works commence early notwithstanding the validity period of the planning permission if so granted. The applicant shall be reminded that the Site may be resumed at any time during the approval period for implementation of government projects.