

**Previous Application covering the Application Site**

**Approved Application**

	<b><u>Application No.</u></b>	<b><u>Proposed Use</u></b>	<b><u>Date of Consideration</u></b>	<b><u>Approval</u></b>
			<b><u>(RNTPC)</u></b>	<b><u>Conditions</u></b>
1	A/YL-TYST/901	Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years	6.7.2018 [revoked on 6.6.2020]	(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11)

**Approval Condition(s):**

- (1) Maintenance of trees/landscape planting on the site.
- (2) Submission and implementation of drainage proposal.
- (3) Maintenance of implemented drainage facilities.
- (4) No barbecue activity, loud speaker, public announcement system and whistle blowing is allowed on the site.
- (5) Revocation of planning approval if conditions not complied with by a given date/at any time during the approval period.
- (6) Reinstatement of the site to an amenity area upon expiry of planning permission.
- (7) Submission and implementation of fire service installations proposal.
- (8) No night time operation during specific time limit and/or no operation on Sundays or public holidays.
- (9) No medium or heavy goods vehicle is allowed to be parked/stored on or enter/exit the site the site.
- (10) No vehicle is allowed to queue back to or reverse onto/from public road.
- (11) Provision of boundary fencing.

**Appendix III of RNTPC  
Paper No. A/YL-TYST/1018A**

**Similar Applications within the Same “V” Zone  
on the Tong Yan San Tsuen OZP**

**Approved Applications**

	<b><u>Application No.</u></b>	<b><u>Proposed Use</u></b>	<b><u>Date of Consideration (RNTPC)</u></b>	<b><u>Approval Condition(s)</u></b>
1	A/YL-TYST/86	Proposed Public Car/Lorry Park <i>(not for temporary use)</i>	18.2.2000 approved for a period of 3 years [revoked on 18.11.2000]	(1), (2), (3), (4), (5), (6), (7)
2	A/YL-TYST/627	Proposed Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	24.5.2013 [revoked on 24.11.2014]	(1), (3), (4), (6), (7), (8), (9), (10), (11), (12), (13)
3	A/YL-TYST/629	Proposed Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	21.6.2013	(1), (3), (4), (8), (9), (10), (11), (12), (13)
4	A/YL-TYST/694	Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	26.9.2014	(1), (3), (4), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15)
5	A/YL-TYST/761	Proposed Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	23.10.2015	(1), (3), (4), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15)
6	A/YL-TYST/804	Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	26.8.2016 [revoked on 26.2.2017]	(3), (6), (7), (8), (9), (13), (14), (15), (16)
7	A/YL-TYST/855	Temporary Public Vehicle Park for Private Car and Light Goods Vehicle and Shop and Services (Real Estate Agency) for a Period of 3 Years	22.9.2017	(1), (3), (6), (7), (9), (10), (11), (12), (13), (14), (15), (16), (17)
8	A/YL-TYST/1043	Renewal of Planning Approval for Temporary Public Vehicle Park for Private Car and Light Goods Vehicle and Shop and Services (Real Estate Agency) for a Period of 3 Years	21.8.2020	(1), (6), (7), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18)

Approval Conditions

- (1) No vehicles without valid licences issued under the Traffic Regulations/Road Traffic (Registration and Licensing of Vehicles) Regulations are allowed to be parked/stored on the application site.
- (2) No container vehicles are allowed to be parked/stored on the application site.
- (3) Submission and/or implementation of (the accepted) landscape and/or tree preservation proposals.
- (4) Submission and/or implementation of (the accepted) drainage proposal.
- (5) The provision of petrol interceptor facility.
- (6) Revocation of planning approval for non-compliance with conditions by a specified date/at any time during the approval period.
- (7) Reinstatement of the application site upon expiry of planning permission.
- (8) No operation during specific time limit is allowed on the site.
- (9) No medium and heavy goods vehicle exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, were allowed to be parked/stored on or enter/exit the site.
- (10) Posting of a notice at a prominent location of the site to indicate that no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers are allowed to be parked/stored on or enter/exit the site.
- (11) No open storage, vehicle dismantling/repairing, maintenance, repairing, cleansing, paint-spraying or other workshop activities, should be carried out on the site.
- (12) Provision/maintenance of (the existing) boundary fence on the site.
- (13) Submission and implementation of fire service installations proposal.
- (14) No queuing and reverse movement of vehicle onto public road.
- (15) Maintenance of the existing/implemented drainage facilities on the site at all times.
- (16) Submission of records of the existing drainage facilities on the site.
- (17) No operation for the real estate agency between 8:00 p.m. and 9:00 a.m. is allowed on the site.
- (18) Maintenance of the existing fire services installations.

**Advisory clauses**

- (a) to resolve any land issues relating to the development with the concerned owner(s) of the application site (the Site);
- (b) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the Site comprises Government Land (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. No permission is given for occupation of GL (about 24 m<sup>2</sup> subject to verification) included in the Site. Any occupation of GL without Government's prior approval is not allowed. The lots owners 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 regularisation or erection of temporary structure(s) will be considered. Furthermore, the applicant has to either exclude the GL portion from the Site or apply for a direct grant Short Term Tenancy for use of the GL portion. Applications for any of the above 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(s) 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 her department;
- (c) to note the comments of the Commissioner for Transport that the land status of the access road/path/track leading to the Site from Lam Hi Road shall be checked with the lands authority. The management and maintenance responsibilities of the access road/path/track should be clarified and consulted with the relevant management and maintenance authorities accordingly. Sufficient space within the Site should be provided for manoeuvring of vehicles. No parking of vehicles on public road are allowed;
- (d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department that adequate drainage measures should be provided at the site access to prevent surface water flowing from the Site to the nearby public roads/drains. His department shall not be responsible for the maintenance of any access connecting the Site and Lam Hi Road;
- (e) to note the comments of the Director of Environmental Protection that relevant mitigation measures and requirements in the latest "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" issued by the Environmental Protection Department should be followed to minimise any potential environmental nuisances on the surrounding areas;
- (f) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department that the drainage facilities on site should be implemented in accordance with the agreed drainage proposal. You shall rectify the drainage system if they are found to be inadequate or ineffective during operation. Furthermore, you shall be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by a failure of the drainage system. The proposed development would neither obstruct overland flow nor adversely affect any existing natural streams, village drains, ditches and the adjacent areas. DLO/YL, LandsD should be consulted and consent from the relevant lot owners should be sought for any works to be carried out outside your lot boundary before commencement of the drainage works;
- (g) to note the comments of the Director of Fire Services that that in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. Relevant layout plans incorporated with the proposed FSIs should be submitted 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 FSIs to be installed should also be clearly marked on the layout plans. 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;

- (h) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that 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 the Building Authority should be obtained, otherwise they are unauthorised building works (UBW) under the BO. An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO. For UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with the prevailing 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. 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
- (i) to note the comments of the Project Manager (West), Civil Engineering and Development Department that a narrow strip at the northern part of the Site falls within the boundary of Yuen Long South (YLS) development - Stage 2. The land resumption and clearance programme of the project is subject to Executive Council's authorisation on land resumption and Finance Committee's funding approval of the project. Land clearance operation at the narrow strip is tentatively targeted to commence in 2024. As such, no substantial works should be carried out within the narrow strip at the northern part of the Site in view of the planned YLS development - Stage 2.