

Similar s.16 Applications

Approved Applications

| Application No. | Uses/Developments | Date of Consideration | Approval Conditions |
|------------------------|--|--|----------------------------|
| A/YL-SK/37 | Public Car/Lorry Park (about 15 parking spaces) | 14.2.1997 (approved on a temporary basis for a period of 5 years up to 14.2.2002) | A1-A2 |
| A/YL-SK/155 | Proposed Public Vehicle Park (excluding container vehicle) | 12.2.2010 (approved on a temporary basis for a period of 3 years up to 12.2.2013) <i>[Revoked on 12.11.2010]</i> | A1, A3-A6, A12, A14-A16 |
| A/YL-SK/177 | Proposed Temporary Public Vehicle Park (excluding container vehicle) for a Period of 3 Years | 7.12.2012 | A1, A3-A6, A9-A12, A14-A16 |
| A/YL-SK/212 | Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles (Not Exceeding 5.5 Tonnes) and Ancillary Car Beauty Services for a Period of 3 Years | 4.3.2016 <i>[Revoked on 4.6.2017]</i> | A1, A3-A6, A9-A12, A14-A16 |
| A/YL-SK/231 | Proposed Temporary Public Vehicle Park (private car only) for a Period of 5 Years | 6.4.2018 | A3, A6-A8 A10, A13-A16 |

Approval Conditions:

- A1 The submission and implementation of landscaping/tree preservation proposals
- A2 The provision of stormwater drainage facilities
- A3 No vehicles without valid licences issued under the Road Traffic Regulations are allowed to be parked/stored at the site
- A4 No more than 43/45 private cars/light goods vehicles/motorcycles are allowed to be parked at the site
- A5 No medium or heavy goods vehicles (i.e. exceeding 5.5 tonnes) as defined in the Road Traffic Ordinance, coaches or container trailers/tractors are allowed to be parked/stored at the site

- A6 No vehicle dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities should be carried out at the site
- A7 Only private cars as defined in the Road Traffic Ordinance and its subsidiary regulations, as proposed by the applicant, are allowed to enter/be parked at the site
- A8 A notice shall be posted at a prominent location of the site at all times to indicate that only private cars as defined in the Road Traffic Ordinance and its subsidiary regulations are allowed to enter/be parked at the site
- A9 A notice should be posted at a prominent location of the site to indicate that no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance and coaches are allowed to be parked/stored on or enter/exit the site
- A10 Vehicles are not allowed to reverse into or out of the site
- A11 Restrictions on the operation hours
- A12 The existing boundary fence on the site should be maintained
- A13 The submission and implementation of run-in/out proposal
- A14 The submission and implementation of drainage proposal
- A15 The submission and implementation of fire service installations proposal
- A16 Upon the expiry of the planning permission, the reinstatement of the application site to an amenity area

Rejected Applications

| Application No. | Uses/Developments | Date of Consideration | Rejection Reasons |
|------------------------|--------------------------|------------------------------|--------------------------|
| Nil | Nil | Nil | Nil |

Reasons for Rejection

Nil

Advisory Clauses

- (a) to resolve any land issue relating to the proposed development with the concerned owner(s) of the Site;
- (b) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL of LandsD) that:
 - (i) the Site comprises an Old Schedule Agricultural Lot 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) the Site is accessible from Nam Hing East Road via Government Land (GL). His office provides no maintenance work for the GL involved and does not guarantee any right-of-way over the GL to the Site;
 - (iii) the Site falls within the Shek Kong Airfield Height Restriction Area (SKAHRA). The height of the proposed structures shall not exceed relevant airfield height limit within the SKAHRA; and
 - (iv) the lot owner(s) will need to apply to his office to permit the structures to be erected or regularize 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 or allowed. Applications for any of the above will be considered by LandsD acting in the capacity as landlord or lessor at its sole discretion and there is no guarantee that such application(s) will be approved. If such application(s) 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 LandsD.
- (c) to note the comments of the Commissioner for Transport (C for T) that the Site is connected to the public road network via a section of a local access road which is not managed by Transport Department (TD). The land status of the local access road should be checked with LandsD. Moreover, the management and maintenance responsibilities of the local access road should be clarified with the relevant lands and maintenance authorities accordingly.
- (d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW of HyD) that HyD is not and will not be responsible for the maintenance of any access connecting the Site with Nam Hing East Road. Besides, the applicant should provide the proposed run-in/out at Nam Hing East Road in accordance with the latest version of Highways Standard Drawings No. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement. Adequate drainage measures should be provided at the Site access to prevent surface water flowing from the Site to the nearby public roads or exclusive road drains.

- (e) to note the comments of the Director of Environmental Protection (DEP) to adopt the latest "Code of Practice on Handling the Environmental Aspects of Temporary uses and Open Storage Sites" issued by his department to minimize any potential environmental nuisances.
- (f) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW of BD) that:
- (i) 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 BD should be obtained, otherwise they are unauthorized building works (UBW) under the Buildings Ordinance (BO). An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO;
 - (ii) for UBW erected on leased land, enforcement action may be taken by BD to effect their removal in accordance with BD's 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 the BO;
 - (iii) 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 respectively; and
 - (iv) 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 Building (Planning) Regulations at the building plan submission stage.
- (g) 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 are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed fire service installations 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 fire service installations 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, detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.