

**Previous S.16 Applications**

**Approved Applications**

<b>Application No.</b>	<b>Uses/ Development</b>	<b>Date of Consideration</b>	<b>Approval Conditions</b>
A/NE-LYT/149	Extension of Workshop and Storage of Electrical Appliances/Fittings with Car Parking and Loading/Unloading	20.2.1998 (approved for a period of 12 months)	A1, A2 & A3
A/NE-LYT/196	Temporary Car Parking and Loading/Unloading Area for a Period of 3 Years	18.2.2000	A1, A3 & A4
A/NE-LYT/308	Temporary Car Parking and Loading/Unloading Area for a Period of 3 Years	29.7.2005	A3, A4 & A5
A/NE-LYT/396	Temporary Car Parking and Loading/Unloading Area for a Period of 3 Years	7.8.2009	A4, A6, A7, A8 & A9
A/NE-LYT/496	Temporary Car Parking and Loading/Unloading Area for a Period of 3 Years	8.2.2013 (revoked on 8.10.2013)	A4, A7, A8, A9 & A10
A/NE-LYT/541	Temporary Vehicle Park for Private Car and Light Goods Vehicle (Excluding Container Vehicle) and Loading/Unloading for a Period of 3 Years	22.8.2014	A4, A7, A8, A9, A10, A11 & A12

**Approval Conditions:**

- A1        The provision of vehicular access point
- A2        The provision of drainage facilities
- A3        The reinstatement clause
- A4        The revocation clause
- A5        The submission and the implementation of the landscape proposal

- A6 The existing landscape planting on the site should be maintained
- A7 The submission and the implementation of drainage proposals
- A8 The submission of proposals for water supplies for firefighting and fire service installations
- A9 The provision of firefighting access, water supplies and fire service installations
- A10 The submission and the implementation of landscape and tree preservation proposals
- A11 No operation between 6:00 p.m. and 8:00 a.m. was allowed
- A12 No operation on Sundays and public holidays was allowed

**Similar S.16 Application for Temporary Private Vehicle Park  
in the vicinity of the application site within/partly within the “Residential (Group C)” zone  
in the Lung Yeuk Tau and Kwan Tei South Area**

**Rejected Application**

<b><u>Application No.</u></b>	<b><u>Uses/ Development</u></b>	<b><u>Date of Consideration</u></b>	<b><u>Rejection Reasons</u></b>
A/NE-LYT/444	Temporary Private Vehicle Park for Coaches with Ancillary Staff Rest Room and Storage of Repair Equipment for Coaches and Miscellaneous Items for a Period of 3 Years	17.2.2012 (on review)	R1 & R2

**Rejection Reasons:**

- R1        The development was not in line with the planning intentions of the "Agriculture" and "Residential (Group C)" zones in the Lung Yeuk Tau and Kwan Tei South area which were primarily to retain and safeguard good agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes; and for low-rise, low-density residential developments respectively. There was no strong planning justification in the submission for a departure from such planning intentions, even on a temporary basis
- R2        The applicant had failed to demonstrate that the development would not generate adverse environmental and traffic impacts on the surrounding areas

**Recommended Advisory Clauses**

- (a) prior planning permission should have been obtained before commencing the applied use at the Site;
- (b) to note the comments of the District Lands Officer/North, Lands Department that the applicant shall apply to his office for Short Term Waiver (STW) to cover all the actual occupation area. The application for STW will be considered by Government in its landlord's capacity and there is no guarantee that it will be approved. If the STW is approved, its commencement date will be backdated to the first date of occupation and it will be subject to such terms and conditions to be imposed including payment of waiver fee and administrative fee as considered appropriate by his office;
- (c) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) on the following:
  - (i) if the existing structures are erected on leased land without approval of the BD (not being a New Territories Exempted House), they are unauthorized under the Buildings Ordinance (BO) and should not be designated for any approved use under the application;
  - (ii) before any new building works (including containers / open sheds as temporary buildings) are to be carried out on the Site, the prior approval and consent of the BD should be obtained, otherwise they are UBW. An AP should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
  - (iii) 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;
  - (iv) in connection with (ii) above, 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 B(P)Rs respectively; and
  - (v) if the Site does not abut 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)Rs at the building plan submission stage;
- (d) to note the comments of the Director of Fire Services on the following:
  - (i) emergency vehicular access arrangement shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 administered by the BD; and
  - (ii) detailed fire safety requirements will be formulated upon receipt of formal submission of the general building plans; and
- (e) to follow the environmental mitigation measures as set out in the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' issued

by the Director of Environmental Protection in order to minimise any possible environmental nuisances.