

Previous s.16 Application covering the Application Site

Approved Application

	<u>Application No.</u>	<u>Zoning(s) and OZP at the time of consideration</u>	<u>Applied Use(s)/ Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Condition(s)</u>
1.	A/YL-PS/12	“CDA” on draft Ping Shan OZP No. S/YL-PS/1	Proposed Comprehensive Development with Minor Relaxation on Building Height	8.8.1997	(1) to (11)

Approval Conditions:

- (1) Submission and implementation of Master Layout Plan.
- (2) Submission and implementation of a master landscape plan, including a tree preservation proposal.
- (3) Design and provision of a bus terminus layout.
- (4) Provision of footbridges linking the housing site to the north and the future Hung Shiu Kiu LRT Station.
- (5) Extension of the proposed footbridge to the south connecting to the LRT station platforms and to the other side of Castle Peak Road.
- (6) Design and provision of ingress/egress points(s), parking spaces, taxi areas, loading and unloading facilities and pedestrian access(es).
- (7) Design and provision of a market, indoor recreation center and a refuse collection point.
- (8) Provision of an EVA and fire service installations.
- (9) Submission of a noise impact assessment and provision of noise mitigation measures.
- (10) Submission of a drainage proposal/drainage impact assessment and provision of flood mitigation measures/implementation of the drainage proposal.
- (11) Deletion of the provision of a day nursery and submission and implementation of a development programme.
- (12) Deletion of the provision of a day nursery and submission and implementation of a development programme.

**Similar s.16 Applications within the subject “R(A)4” Zone
on the Approved Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/2
(Previously zoned “CDA” on the Approved Ping Shan OZP No. S/YL-PS/16)**

Approved Applications

	<u>Application No.</u>	<u>Zoning(s) and OZP at the time of consideration</u>	<u>Proposed Use(s)/Development(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Approval Conditions</u>
1.	A/YL-PS/267	“CDA” on approved Ping Shan OZP No. S/YL-PS/11	Temporary Vehicle Park for Private Car, Light Goods Vehicle and Medium Goods vehicle with Ancillary Office and Storeroom for a Period of 3 Years	13.4.2007 (revoked on 13.1.2008)	(1), (2), (3), (5), (6), (10), (14) and (15)
2.	A/YL-PS/277	“CDA” on approved Ping Shan OZP No. S/ YL-PS /11	Temporary Vehicle Park for Private Car, Light Goods Vehicle and Medium Goods Vehicle with Ancillary Office and storeroom for a Period of 3 Years	14.12.2007 (Revoked on 24.7.2008)	(1) to (3), (5), (6), (14) to (16), (18) to (21)
3.	A/YL-PS/288	“CDA” on approved Ping Shan OZP No. S/ YL-PS /11	Temporary Vehicle Park for Private Car and light Goods Vehicle with Ancillary Office and storeroom for a Period of 3 Years	24.10.2008 (Revoked on 24.4.2009)	(1) to (3), (5), (9), (12) , (13), (15), (16) and (21)
4.	A/YL-PS/296	“CDA” on approved Ping Shan OZP No. S/ YL-PS /11	Temporary Vehicle Park for Private Car, Light Goods Vehicle and Medium Goods Vehicle with Ancillary office and Storeroom for a Period of 3 Years	27.2.2009	(1), (2), (4), (5), (7), (12), (14) to (16), (18), (21) and (22)
5.	A/YL-PS/331	“CDA” on approved Ping Shan OZP No. S/YL-PS/11	Proposed Temporary Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	29.10.2010 (revoked on 29.10.2011)	(1), (2), (3), (5), (7), (8), (11), (13) to (16)
6.	A/YL-PS/368	“CDA” on draft Ping Shan OZP No. S/ YL-PS /13	Renewal of Planning Approval for Temporary Vehicle Park for Private Car, Light Goods Vehicle and Medium Goods Vehicle with Ancillary office and Storeroom for a Period of 3 Years	24.2.2012	(1), (2), (4), (5), (7), (12), (14) to (16), (18), (21) and (22)

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7.	A/YL-PS/354	“CDA” on draft Ping Shan OZP No. S/YL-PS/13	Proposed Temporary Vehicle Park of Private Cars and Light Goods Vehicles (with Ancillary Site Office) for a Period of 3 Years	7.10.2011 (revoked on 7.8.2013)	1 to (5), (7), (9), (11) and (13) to (16)
8.	A/YL-PS/471	“CDA” on draft Ping Shan OZP No. S/ YL-PS /15	Renewal of Planning Approval for Temporary Vehicle Park for Private Car, Light Goods Vehicle and Medium Goods Vehicle with Ancillary Office and Storeroom for a Period of 3 Years	6.2.2015 (Revoked on 12.5.2017)	(1), (2), (4), (5), (7), (11), (12), (14), (15), (17), (19), (21) and (22)
9.	A/HSK/2	“R(A)3” on draft Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/1	Proposed Temporary Public Vehicle Park (excluding container vehicle) for a Period of 3 Years	11.8.2017 (Revoked on 11.11.2019)	(2) to (7), (14), (15), (17), (21) and (25)
10.	A/HSK/39	“R(A)4” on draft HSK&HT OZP No. S/HSK/1	Temporary Public Vehicle Park (Private Cars, Light Goods Vehicles and Coaches) for a Period of 3 Years	26.1.2018	(1) to (5), (7) and (11) to (17)
11.	A/HSK/54	“R(A)4” on draft HSK&HT OZP No. S/HSK/1	Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years	16.3.2018	(2) to (5), (10), (11) and (13) to (17)

Approval Conditions:

- (1) Restrictions on operation hours.
- (2) No washing, dismantling and repairing of vehicle, paint spraying or other workshop activity.
- (3) No parking of goods vehicles exceeding 5.5 tonnes, coaches, container vehicles, container tractors and trailers.
- (4) A notice shall be posted at a prominent location to indicate that no medium or heavy vehicle are allowed to enter/be parked.
- (5) No parking/storage of vehicle without valid licence issued under the Road Traffic Ordinance.
- (6) Implementation of accepted landscape proposal.
- (7) Submission and implementation of landscape and/or tree preservation proposal.
- (8) Submission of tree monitoring report every 6 months.
- (9) Maintenance of existing trees / landscape within the site.
- (10) Submission and implementation of drainage proposal.
- (11) Provision of peripheral/boundary fencing.
- (12) Submission of condition record of the existing drainage facilities.
- (13) Maintenance of existing/implemented drainage facilities.

- (14) Submission and implementation of fire service installations proposal.
- (15) Revocation Clause.
- (16) Reinstatement clause.
- (17) No vehicle is allowed to queue back to or reverse onto/from public road.
- (18) No parking of goods vehicles exceeding 24 tonnes, coaches, container vehicles, container tractors and trailers.
- (19) Only private cars and light goods vehicles are allowed to enter/be parked.
- (20) A notice shall be posted at a prominent location to indicate that only private cars and light goods vehicles are allowed to enter/ be parked.
- (21) Provision of the proposed drainage facilities.
- (22) Adherence to the proposed parking layout arrangement.
- (23) Submission of the run-in/out proposal and provision of run-in/out proposed.

Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the development on-site;
- (b) to note that the Site might be resumed at any time during the planning approval period for implementation of government projects;
- (c) 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 (OSALs). The OSALs are 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 the GL included in the Site (about 120m² subject to verification). The act of occupation of GL without Government's prior approval is not allowed. According to his record, there is no lease modification/land exchange application or building plan submission in relation to development at the Site approved/under processing. The lot owners(s) of the lot(s) within STW will need to apply to his office for permitting the structures to be erected or to regularize any irregularities on site, if any. The applicant has to either exclude the GL from the Site or apply for a formal approval prior to the actual occupation of the GL. Besides, given the proposed use is temporary in nature, only application for regularization or erection of temporary structure(s) will be considered. Application(s) for any of the above will be considered by LandsD acting in the capacity of the 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;
- (d) to note the comments of the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD) that sufficient manoeuvring space shall be provided within the site. The local track leading to the Site is not under TD's purview. The applicant shall obtain consent of the owners/managing departments of the local track for using it as the vehicular access to the Site;
- (e) to note the comments of the Chief Highway 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. HyD shall not be responsible for the maintenance of any access connecting the Site and Hung Shui Kiu Tin Sam Road;
- (f) to follow the latest 'Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites' issued by the Director of Environmental Protection to minimize any potential environmental nuisance;
- (g) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that if the existing structures (not being a New Territories Exempted Houses) are erected on leased land without approval of the Building Authority (BA), they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any approved 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, 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 UBW. An Authorised Person (AP) should be appointed as the coordinator 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. 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;

- (h) 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 (FSIs) are anticipated to be required. 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, and the location of where the proposed FSIs to be installed should be clearly marked on the layout plans. However, 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;
- (i) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) on the submitted drainage proposal that peripheral surface channels shall be provided along the site boundary to collect the surface runoff accrued on the Site and to intercept the overland flow from the adjacent lands. The full alignment of the discharge path from the Site all the way down to the ultimate discharge point (e.g. a well-established stream course/public drainage system) should be clearly indicated. The existing village drain, to which the applicant proposed to discharge the stormwater from the Site was not maintained by his office. The applicant should identify the owner of the existing drainage facilities and obtain consent from the owner prior to commencement of the proposed works. In the case that it is a local village drains, DO/YL of HAD should be consulted. Since there is no record of the said village drain, site photos should be provided to demonstrate its presence and existing condition. The gradients and the sizes of the proposed U-channels should be shown on the drainage plan. The cover levels and invert levels of the proposed u-channels, catchpits/sand traps should be shown on the drainage plan. Cross sections showing the existing and proposed ground levels of the Site with respect to the adjacent areas should be given. Sand trap or provision alike should be provided before the collected runoff is discharged to the public drainage facilities. Standard details should be provided to indicate the sectional details of the proposed u-channel and the catchpit/sand trap. Where walls or hoarding are erected along the site boundary, adequate opening should be provided to intercept the existing overland flow passing through the Site. 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 of LandsD 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; and
- (j) to note the comments of the Project Manager (West), Civil Engineering and Development Department (PM/W, CEDD) that the lot(s) concerned falls within sites under HSK/HT NDA Advance Works Phase 3 and the proposed tenure under the

application may have conflict with Phase 3 works in the latest implementation programme for the HSK/HT NDA. While the detailed implementation programme for the project is still being formulated, it is envisaged that clearance of the Site in question will not be arranged before 2024.