

Previous s.16 Applications covering the Site

Approved Applications

	<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 Conditions</u>
1.	A/YL-HT/73	"CDA" on draft Ha Tsuen OZP No. S/YL-HT/1	Temporary Public Car park including Parking of Container Trailer/Tractor (12 Months)	12.3.1999	1, 2, 3, 4
2.	A/YL-HT/155	"CDA" on approved Ha Tsuen OZP No. S/YL-HT/4	Temporary Public Vehicle Park for Private Cars, Light Goods Vehicles, Heavy Goods Vehicles and Container Trailers (3 Years)	16.6.2000 (Revoked on 16.3.2001)	1, 2, 3, 4, 5
3.	A/YL-HT/271	"CDA" on approved Ha Tsuen OZP No. S/YL-HT/4	Temporary Public Vehicle Park for Private Cars, Light and Heavy Goods Vehicles (3 years)	11.10.2002 (Revoked on 11.1.2003)	1, 4, 5, 6, 7

Approval Conditions:

- 1 The submission and implementation of landscaping proposals.
- 2 The provision of drainage facilities.
- 3 The provision of fencing
- 4 Reinstatement clause.
- 5 Revocation clauses.
- 6 No vehicles without valid licences issued under the Traffic Regulations are allowed to be parked on the site.
- 7 The submission of drainage proposals and provision of drainage facilities.

**Appendix III of RNTPC
Paper No. A/HSK/240**

**Similar Applications within the subject “R(A)3” and “O” zone
on the Approved Hung Shui Kiu and Ha Tsuen OZP**

Approved Applications

Application No.	Zoning(s) and OZP at the time of consideration	Applied use(s)/Development(s)	Date of Consideration (RNTPC/TPB)	Approval Condition(s)
1. A/HSK/48	“R(A)3” on the draft Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/1	Proposed Temporary Public Vehicle Park of Private Car and Goods Vehicle not exceeding 24 tonnes and Open Storage of Export Vehicle and Vehicle Parts (3 Years)	2.3.2018	1, 2, 3, 4, 5, 6, 7, 8
2. A/HSK/154	“R(A)3” and “O” on the approved Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/2	Temporary Public Vehicle Park for Private Cars, Light Goods Vehicles, Heavy Goods Vehicles and Container Trailers (3 Years)	5.7.2019	1, 2, 3, 4, 6, 7, 8, 9, 10

Approval Conditions:

- 1 No night-time operation and/or no operation on Sundays and public holidays.
- 2 No vehicle is allowed to queue back to or reverse onto/from the public road at any time.
- 3 Maintenance of existing boundary fencing, and/or drainage facilities, and/or trees and landscape planting on the site.
- 4 The submission of a condition record of the existing drainage facilities.
- 5 The provision of the fire extinguisher(s) and the submission of a valid fire certificate (FS 251).
- 6 The submission and implementation/provision of a fire service installations proposal.
- 7 Revocation clauses.
- 8 Reinstatement clause.
- 9 No vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site at any time.
- 10 Maintenance of existing vegetation within the Site in good condition at all times.

Advisory Clauses

- (a) prior planning permission should have been obtained before commencing the development on-site;
- (b) to resolve any land issues relating to the development with the concerned owner(s) of the application site;
- (c) to note that the Site might be resumed at any time during the planning approval period for implementation of government projects;
- (d) to note the comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the Site comprises OSAL and GL. The OSAL is 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 390m² subject to verification). The act of occupation of GL without Government's prior approval is not allowed. The applicant should provide justifications for erection of extensive structures with a total GFA of 160m². For information, in normal short term tenancies tendered by Government for fee-paying public carpark use, usually only one structure having a height not exceeding 3m above ground level and a total GFA of not exceeding 25m², which shall be used for office purposes (and/or fee-collection booth), is permitted. The lot owner(s) of the lot(s) without 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 regularisation 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 rent or fee, as may be imposed by LandsD;
- (e) to note the comments of the Assistant Commissioner for Transport/ New Territories, Transport Department (AC for T/NT, TD) that sufficient manoeuvring spaces shall be provided within the Site. 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;
- (f) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that if the proposed run-in/out is agreed by TD, the applicant should construct a run-in/out at the access point 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. 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 the public road connecting to Ping Ha Road;
- (g) to follow the relevant mitigation measures and requirements in the latest 'Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites' issued by the Environmental Protection Department to minimize any potential environmental nuisances;

- (h) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that the development should neither obstruct overland flow nor adversely affect existing stream course, natural streams, village drains, ditches and the adjacent areas. The applicant should consult DLO/YL and seek consent from the relevant owners for any works to be carried out outside the Site before commencement of the drainage works;
- (i) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, 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 UBW. An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO. For UBW erected on leased land, enforcement action may be taken by 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. 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 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. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to D of FS 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 are 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; and
- (k) to note the comments of the Project Manager (West), Civil Engineering and Development Department (PM/W, CEDD) that the Site falls within the boundary of Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA). According to the Planning and Engineering Study for the HSK/HT NDA and the latest plan, to ensure timely and orderly implementation, the development of HSK/HT NDA and relevant site formation and infrastructure works would be implemented in five stages, viz. Advance Works and Stage 1 to Stage 4. The lot(s) concerned falls within a site under Stage 4 Works in the latest programme of the HSK/HT NDA. While the detailed implementation programme for the project is still being formulated, it is envisaged that clearance of the Site will not be arranged before 2024.