

**Extract of Town Planning Board Guidelines
on Renewal of Planning Approval
and Extension of Time for Compliance
with Planning Conditions for Temporary Use or Development**
(TPB PG-No. 34B)

1. The criteria for assessing applications for renewal of planning approval include:
 - (a) whether there has been any material change in planning circumstances since the previous temporary approval was granted (such as a change in the planning policy/land-use zoning for the area) or a change in the land uses of the surrounding areas;
 - (b) whether there are any adverse planning implications arising from the renewal of the planning approval (such as pre-emption of planned permanent development);
 - (c) whether the planning conditions under previous approval have been complied with to the satisfaction of relevant Government departments within the specified time limits;
 - (d) whether the approval period sought is reasonable; and
 - (e) any other relevant considerations.

2. Under normal circumstances, the approval period for renewal should not be longer than the original validity period of the temporary approval. In general, the Board is unlikely to grant an approval period exceeding three years unless there are strong justifications and the period is allowed for under the relevant statutory plans. Depending on the circumstances of each case, the Board could determine the appropriate approval period, which may be shorter than the time under request.

Previous s.16 Applications covering the Application Site

Approved Application

<u>No.</u>	<u>Application No.</u>	<u>Use/Development</u>	<u>Date of Consideration</u>	<u>Approval Conditions</u>
1.	A/YL-PS/371	Temporary Vehicle Park for Coaches For a Period of 3 Years	24.2.2012	(1), (2), (4), (6), (7), (8), (9), (10) and (11)
2.	A/YL-PS/469	Renewal of Planning Approval for Temporary Vehicle Park for Coaches for a Period of 3 Years	6.2.2015	(1), (3), (4), (5), (6), (7), (9), (10), (11), (12), (13) and (14)

Approval Conditions

- (1) No night-time operation.
- (2) No medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractor/trailer, are allowed to be parked on the site.
- (3) No parking/storage of vehicles without valid licences.
- (4) Posting of a notice at a prominent location to indicate the type of vehicles to be allowed or not allowed to enter/be parked on the site.
- (5) No vehicle washing, repairing, dismantling, paint spraying and workshop use.
- (6) Maintain existing fencing.
- (7) Submission of a condition record and/or provision/maintenance of drainage facilities.
- (8) Submission and implementation of landscape and tree preservation proposals.
- (9) Submission and provision of fire service installations proposal.
- (10) Revocation clauses.
- (11) Reinstatement clause.
- (12) only coaches, as proposed by the applicant, are allowed to enter/be parked on the site at all times during the planning approval period.
- (13) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period.
- (14) Maintain existing trees.

**Similar Applications within the Same “V” Zone
on the draft Ping Shan OZP No. S/YL-PS/17**

Approved Applications

<u>Application No.</u>	<u>Zoning</u> (at the time of approval)	<u>Development/Use</u>	<u>Date of Consideration</u>	<u>Approval Conditions</u>
A/YL-PS/278	“V”	Temporary Public Vehicle Park for Private Cars, Lorries and Coaches (3 Years)	25.7.2008 (1 year) (s.17) (Revoked on 25.10.2008)	1, 5, 6, 7, 10, 11, 12, 13, 15
A/YL-PS/294	“V”	Temporary Public Vehicle Park for Private Cars, Lorries and Coaches (1 Year)	13.2.2009	1, 5, 6, 7, 10, 11, 13, 14, 15
A/YL-PS/306	“V”	Temporary Public Vehicle Park for Medium Size Buses (24-seats) and Private Cars (3 Years)	7.8.2009	1, 2, 3, 5, 7, 9, 16
A/YL-PS/317	“V”	Temporary Public Vehicle Park for Private Cars, Lorries and Coaches (3 Years)	19.3.2010 (1 year) (Revoked on 8.3.2011)	1, 2, 5, 7, 11, 13, 14, 17, 18, 19, 20, 21
A/YL-PS/340	“V”	Renewal of Planning Approval for Temporary Public Vehicle Park for Private Cars, Lorries and Coaches (3 Years)	18.3.2011 (1 year) 15.7.2011 (s.17 on conditions) (Revoked on 12.8.2011)	1, 5, 7, 8, 11, 14, 17, 18, 19, 21
A/YL-PS/356	“CDA”, “R(B)1”, “R(E)2” & “V”	Temporary Public Vehicle Park for Private Car, Light Goods Vehicle and Light Buses (3 Years)	21.10.2011	1, 2, 4, 5, 7, 11, 13, 14, 20, 21, 23, 24
A/YL-PS/385	“V”	Temporary Rural Communal Public Vehicle Park for Private Cars, 5.5 Tonnes Goods Vehicles, Coaches and 24 Tonnes Goods Vehicles (3 Years)	10.8.2012 (1 year) (Revoked on 10.4.2013)	1, 5, 7, 8, 9, 11, 13, 14, 17, 18, 21
A/YL-PS/386	“V”	Temporary Public Vehicle Park	24.8.2012	1, 5, 7, 11, 13,

<u>Application No.</u>	<u>Zoning</u> (at the time of approval)	<u>Development/Use</u>	<u>Date of Consideration</u>	<u>Approval Conditions</u>
		for Private Cars and Medium Size Buses (24-seats) (3 Years)		16, 21, 26, 27
A/YL-PS/437	"V"	Temporary Rural Communal Public Vehicle Park for Private Cars, 5.5 Tonnes Goods Vehicles, Coaches and 24 Tonnes Goods Vehicles (3 Years)	7.3.2014 (1 year)	1, 5, 7, 8, 9, 11, 13, 14, 17, 18, 21, 29, 30
A/YL-PS/458	"CDA", "R(B)1", "R(E)2" and "V "	Temporary Public Vehicle Park for Private Cars, Light Goods Vehicles and Light Buses (3 Years)	17.10.2014 (Revoked on 19.8.2015)	1, 5, 7, 9, 11, 13, 14, 20, 21, 22, 29, 30
A/YL-PS/472	"V"	Renewal of Planning Approval for Temporary Rural Communal Public Vehicle Park for Private Cars, 5.5 Tonnes Goods Vehicles, Coaches and 24 Tonnes Goods Vehicles (3 Years)	27.2.2015 (1 year)	1, 5, 7, 11, 13, 14, 17, 18, 21, 24, 28, 29, 30
A/YL-PS/485	"V"	Renewal of Planning Approval for Temporary Public Vehicle Park for Medium Size Buses (24 Seats) and Private Cars (3 Years)	7.8.2015	1, 5, 7, 11, 13, 14, 16, 21, 24, 29, 30, 31
A/YL-PS/515	"V"	Temporary Rural Communal Public Vehicle Park for Private Cars, 5.5 Tonnes Goods Vehicles, Coaches and 24 Tonnes Goods Vehicles (3 Years)	29.7.2016	1, 5, 7, 8, 9, 11, 13, 14, 17, 21, 29, 30
A/YL-PS/521	"V"	Temporary Public Vehicle Park (Private Cars, Light Goods Vehicles and Light Buses) (3 Years)	29.7.2016	1, 2, 5, 7, 9, 11, 13, 14, 20, 21, 29, 30

Approval Conditions

1. No vehicles without valid licences issued under Traffic Regulations/Ordinance would be allowed to be parked/stored on the site.
2. No goods vehicles exceeding 5.5 tonnes vehicles, coaches, container vehicles and container trailers would be allowed to be parked/stored on the site.
3. Submission of DIA/drainage proposal and/or provision of flood mitigation measures/drainage facilities.
4. Provision of standard vehicular access/submission and/or implementation of vehicular access proposal.
5. Reinstatement clause.
6. No container vehicles would be allowed to be parked/stored on the site.
7. No night time operation is permitted at the site.
8. Provision of peripheral fencing and paving of the site.
9. Submission and implementation of landscaping and/or tree preservation proposals.
10. Maintain the landscape planting on the site at all times.
11. Maintain the existing drainage facilities at all times.
12. Provision of a 9-litres water type/3kg dry powder fire extinguisher in the site office.
13. Submission of a condition record of the existing drainage facilities.
14. Submission and implementation of fire services installation proposal.
15. Improvement of the road signs at the site.
16. Provision of warning notice and measures on pedestrian safety.
17. No heavy goods vehicles exceeding 24 tonnes, container vehicles and container trailers are allowed to be parked/stored on the site.
18. Parking layout arrangement proposed should be adhered to.
19. Implementation of compensatory planting in the site.
20. Provision/Maintenance of peripheral fencing of the site.
21. Posting notice at a prominent location to indicate the types of vehicle allowed to enter/be parked.
22. No vehicles other than private cars and light vans are allowed to be parked on site.
23. No excavation of land is allowed on site.
24. Maintain the existing vegetation on site in good condition at all times.
25. No lorries, heavy goods vehicles and container vehicles are allowed to be parked on the site.
26. No vehicle exceeding 5.5 tonnes and buses exceeding 24 seats, including container tractor/trailer, as defined in the Road Traffic Ordinance is allowed to be parked on the site.
27. Submission and implementation of a tree preservation proposal.
28. Maintain the existing fencing and paving.
29. No vehicle washing, vehicle repair, dismantling, paint spraying or other workshop activity is allowed.
30. No vehicle is allowed to queue back to or reverse onto/from public road.
31. Only medium size buses (24 seats) and private cars are allowed.

Rejected Application

<u>Application No.</u>	<u>Zoning</u> (at the time of approval)	<u>Proposed Use</u>	<u>Date of Consideration</u>	<u>Main Reasons for Rejection</u>
A/YL-PS/372	“V”	Temporary Public Vehicle Park for Private Car, Light Goods Vehicle, Medium Goods Vehicle and Coaches (3 years)	27.7.2012 (s.17)	1, 2

Rejection Reasons

1. Not in line with the planning intention.
2. The development had to be accessed via a long stretch of local track passing through the “V” zone and would generate environmental nuisance to the adjacent residential settlements as well as those along the access road.

Advisory Clauses

- (a) to resolve any land issue relating to the development with the concerned owner(s) of the Site;
- (b) to note the comments of District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD) that the Site comprises 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. Lot No. 449 RP in D.D.122 is covered by Short Term Waiver (STW) No. 3960 to permit structures erected thereon for the purpose of “Temporary Rural Communal Public Vehicle Park for Private Cars, 5.5 Tonnes Goods Vehicles, Coaches and 24 Tonnes Goods Vehicles”. Lot No. 452 RP in D.D.122 is covered by STW No. 4529 to permit structures erected thereon for the purpose of “Temporary Public Vehicle Park for private cars”. The Site is accessible to Tsui Sing Road Government Land (GL) and private land. His Office does not provide maintenance works for GL involved and does not guarantee any right-of-way to the Site. The STW holders will need to apply to his office for modification of the STW conditions if there are any irregularities on Site and the lot owner(s) of the lot without STW will need to apply to his office to permit the structures to be erected or regularize any irregularities on site. Such application(s) will be considered by the 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 the LandsD;
- (c) 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;
- (d) 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 Tin Wah Road;
- (e) 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”;
- (f) 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. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his Department for approval. The applicant is also advised that the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of the proposed FSIs to be installed should be clearly marked on the layout plans; and
- (g) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organising and supervising any activity near the underground cable or overhead line under the application should approach the electricity

supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation when carrying out works in the vicinity of the electricity supply lines.