

Previous Applications Covering the Site

Approved Applications

<u>Application No.</u>	<u>Development/Use</u>	<u>Date of Consideration</u>	<u>Approval Conditions</u>
A/DPA/YL-PS/49	Temporary Public Carpark	5.5.1995	(1) to (5) and (17)
A/YL-PS/53	Public Lorry and Car Park	14.5.1999	(1), (2), (6), (7) and (17)
A/YL-PS/296	Temporary Public Vehicle Park for Private Cars, Lorries and Coaches for a Period of 3 Years	27.7.2007 (revoked on 27.1.2008)	(7) to (17)

Approval Conditions

- (1) The submission and implementation of landscaping proposal.
- (2) The provision of drainage facilities.
- (3) The provision of fencing.
- (4) The provision of hard paving on the proposed vehicular access road to the Site.
- (5) Provision of a vehicular access road restricted for use by vehicles not exceeding 7m in length.
- (6) Upgrading of the existing access road.
- (7) No vehicles without valid licences under Traffic Regulations/Road Traffic Ordinance would be allowed to be parked/stored on site
- (8) No night time operation
- (9) No dismantling and repairing of vehicles and other workshop activities
- (10) No goods vehicles exceeding 24 tonnes, coaches, container vehicles, container tractors and trailers were allowed to be parked on site
- (11) The parking layout arrangement, as proposed by the applicant, should be adhered to
- (12) Maintenance of existing landscape planting on site
- (13) Maintenance of existing drainage facilities
- (14) Submission of the condition record of the existing drainage facilities
- (15) Submission and implementation of fire service installations proposals
- (16) Revocation clauses.
- (17) Reinstatement clause.

Rejected Application

<u>Application No.</u>	<u>Development/Use</u>	<u>Date of Consideration</u>	<u>Rejection Reasons</u>
A/YL-PS/52	Temporary Container Trailer, Tractor & Car Park for a Period of 12 Months	14.5.1999	(1) to (4)

Reasons for Rejection

- (1) Incompatible with the village settlements in the vicinity.
- (2) Existing access not satisfactory and the container traffic would pose a threat to the operation of the Light Rail Transit services.
- (3) No information to demonstrate that the use would have no adverse environmental and visual impacts on the surrounding areas.
- (4) Approval would set an undesirable precedent for other similar applications.

Advisory Clauses

- (a) to resolve any land issue relating to the development with the concerned owner(s) of the application 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 prior approval of the Government. The Site is accessible to Ping Kwai Road via government land (GL). His office does not provide maintenance work for GL involved and does not guarantee any right-of-way over the GL to the Site. The lot owner(s) should apply to his office to permit the structures to be erected or regularise any irregularities on site. Such application(s) will be considered by the LandsD acting in the capacity as 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 Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that as there is no record of approval by the Building Authority for the existing structures at the Site, he is not in a position to offer comments on the suitability for the use proposed in the application. If the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the BD, they are unauthorized building works (UBW) under the Buildings Ordinance (BO) and should not be designated for any proposed 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 and land filling) are to be carried out on Site, prior approval and consent of the BD 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. 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.
- (d) to follow the "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites" issued by the Environmental Protection Department to minimize potential environmental nuisance to the surrounding area.
- (e) 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.

- (f) 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 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 Ping Kwai Road.
- (g) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that the applicant is reminded 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 lot boundary before commencement of the drainage works.
- (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 should be 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 Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that the applicant is advised that a minimum soil provision of 1m (W) x 1m (L) x 1.2m (D) should be provided for each new tree, and precautionary measures such as kerbs and/or bollards should be provided to prevent damage to the trees by vehicles. Furthermore, there shall be no stacking or storage of any objects within 1m of any tree. The approval of the landscape proposal by the Board under s.16 application does not imply approval of tree works such as pruning, transplanting or felling under lease. Tree felling applications should be submitted to direct to DLO for approval. Useful information on general tree maintenance is available for reference in 護養樹木的簡易圖解 (http://www.greening.gov.hk/filemanager/content/pdf/tree_care/Pictorial_Guide_for_Tree_Maintenance.pdf) and the Handbook of Tree Management (Chinese Version: http://www.greening.gov.hk/tc/tree_care/Handbook_on_Tree_Management.html) published by the GLTM Section, DEVB.
- (j) to note the comments of the Director of Leisure and Cultural Services (DLCS) that LCSD will not undertake the maintenance of the proposed trees in the proposal.
- (k) 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 mentioned 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 concerned 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.