

Previous s.16 Applications covering the Application Site

Approved Application

<u>Application No.</u>	<u>Use/Development</u>	<u>Date of Consideration</u>	<u>Approval Conditions</u>
A/YL-PS/180	Temporary Public Vehicle Park for Private Cars and Lorries for a Period of 3 Years	28.5.2004 (revoked on 16.3.2006)	(1), (2), (5), (9), (12), (15), (16), (18) & (19)
A/YL-PS/248	Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	4.8.2006	(1), (2), (5), (10), (13) to (15), (18) & (19)
A/YL-PS/275	Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	30.11.2007	(1), (2), (5), (10), (13), (14), (18) & (19)
A/YL-PS/304	Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	10.7.2009	(1), (2), (5), (8), (10), (13) to (15), (18) & (19)
A/YL-PS/382	Temporary Public Vehicle park for Private Cars and Light Goods Vehicles for a Period of 3 Years	15.6.2012	(1), (2), (4), (5), (8), (10), (11), (13) to (15), (18) & (19)
A/YL-PS/479	Temporary Public Vehicle park (Private Cars and Light Goods Vehicle Only) for a Period of 3 Years	22.5.2015	(1), (3), (4) to (9), (13) to (15), (17), (18) & (19)

Approval Conditions

- (1) No parking/storage of vehicles without valid licences issued under the Road Traffic Ordinance.
- (2) No (medium or heavy goods vehicle) or parking of (goods) vehicles (exceeding) 5.5 tonnes (or more), (coaches, container vehicles), container tractors and/or trailers.
- (3) Only private cars (and light goods vehicles) are allowed to enter/be parked.
- (4) Posting notice at a prominent location to indicate the types of vehicle allowed to enter/be parked.
- (5) No night time operation.
- (6) No vehicle washing/repairing/dismantling/paint spraying and other workshop uses/activities.
- (7) No vehicle is allowed to queue back to or reverse onto/from public road.
- (8) Posting notice at a prominent location to remind drivers on pedestrian safety on access road.
- (9) Submission and/or implementation of the (accepted) tree preservation and/or landscape proposal(s).
- (10) Maintenance of (existing) landscape planting/vegetation/trees, including replacement of dead plants.
- (11) Submission of tree survey plan and schedule.
- (12) Submission and/or implementation of (accepted) drainage proposal/Drainage Impact Assessment/implementation of flood mitigation measures identified therein.
- (13) Maintenance of (existing/implemented) drainage facilities.
- (14) Submission of condition record of existing drainage facilities.
- (15) Submission and/or implementation of fire services installations proposal or provision of fire service installations proposed.

- (16) Provision of peripheral/boundary fencing.
- (17) Maintenance of (existing) paving and/or fencing.
- (18) Revocation Clauses.
- (19) Reinstatement Clause.

Rejected Application

<u>Application No.</u>	<u>Use/Development</u>	<u>Date of Consideration</u>	<u>Rejection Reasons</u>
A/YL-PS/238	Temporary Public Vehicle Park for Private Car, Light Goods Vehicle and Medium Goods Vehicle for a Period of 3 Years	7.4.2006	(1) to (3)

Rejection Reasons

- (1) Not compatible with the surrounding areas
- (2) Insufficient information to demonstrate no adverse environmental impact on the surrounding areas
- (3) Approval of the application will set an undesirable precedent

Similar Applications within the same “V” zone

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/292	“R(B)1”, “V”, “R(E)2”, “CDA”	Renewal of Planning Approval for Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	5.12.2008 (up to 7.4.2012)	(1), (2), (5), (10), (14) to (16), (22) & (23)
A/YL-PS/301	“V” & “U”	Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	17.4.2009 (Revoked on 17.10.2009)	(1), (2), (5), (9), (14) to (16), (22) & (23)
A/YL-PS/307	“V” & “U”	Temporary Vehicle Park for Private Cars and Light Goods Vehicle for a Period of 3 Years	18.9.2009	(1), (2), (5), (9), (14) to (16), (22) & (23)
A/YL-PS/310	“V”	Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	6.11.2009	(1), (2), (5), (9), (12), (13), (16), (19), (22) & (23)
A/YL-PS/363	“V”	Proposed Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	20.1.2012	(2), (4), (5), (9), (12), (13), (16), (17), (22) & (23)
A/YL-PS/366	“V” & “OU(Heritage and Cultural Tourism Related Uses)” (“OU(HCTR)”)	Proposed Temporary Public Vehicle Park for Private Car and Light Goods Vehicles a Period of 3 Years	10.2.2012	(2), (4), (5), (9), (14) to (16), (17), (22) & (23)
A/YL-PS/390	“V”	Temporary Public Vehicle Park for Private Car and Light Goods Vehicles for a Period of 3 Years	21.9.2012	(1), (2), (4), (5), (8), (9), (14) to (17), (22) & (23)
A/YL-PS/395	“V”	Renewal of Planning Approval for Temporary “Public Vehicle Park for Private Car and Light Goods Vehicle” for a Period of 3 Years	19.10.2012 (up to 6.11.2015)	(1), (2), (4) to (6), (8), (9), (14) to (16), (20) to (23)
A/YL-PS/410	“V”	Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years	21.6.2013	(1), (2), (4) to (6), (9), (13), (14), (16), (20), (22) & (23)
A/YL-PS/452	“V”	Proposed Temporary Public Vehicle park for Private Cars for a Period of 3 Years	14.11.2014	(1), (3), (4) to (7), (9), (12), (14), (16), (17), (22) & (23)

<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/466	“V”	Renewal of Planning Approval for Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years	16.1.2015 (up to 20.1.2018)	(1), (3), (4) to (7), (10), (14) to (16), (22) & (23)
A/YL-PS/468	“V” & “OU(HCTR)”	Renewal of Planning Approval for Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years	6.2.2015 (up to 10.2.2018)	(1), (3), (4) to (7), (9), (14) to (16), (18), (22) & (23)
A/YL-PS/489	“V”	Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years	8.1.2016	(1), (3), (4) to (9), (14) to (17), (22) & (23)
A/YL-PS/492	“V”	Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years	8.4.2016	(1), (2), (4) to (7), (9), (12), (14), (16), (17), (22) & (23)
A/YL-PS/498	“V”	Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years	6.11.2015 (Revoked on 6.8.2016)	(1), (3), (4) to (9), (14) to (17), (21) to (23)
A/YL-PS/516	“V”	Temporary Public Vehicle Park (Private Cars) for a Period of 3 Years	22.4.2016	(1), (2), (4) to (7), (9), (12), (14), (16), (17), (22) & (23)
A/YL-PS/522	“V” & “OU(HCTR)”	Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years	12.8.2016	(1), (2), (4) to (7), (9), (14) to (17), (22) & (23)
A/YL-PS/543	“V”	Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) for a Period of 3 Years	8.9.2017	(1), (2), (4) to (9), (14) to (17), (21), (22) & (23)
A/YL-PS/549	“V”	Temporary Public Vehicle Park (Private Car and Light Goods Vehicle) for a Period of 3 Years	26.1.2018	(1), (2), (4) to (7), (10), (14) to (16), (18), (22) & (23)
A/YL-PS/553	“V”	Temporary Public Vehicle Park for Private Cars for a Period of 3 Years	2.3.2018	(1), (3), (4) to (8), (10), (14), (16), (17), (22) & (23)
A/YL-PS/554	“V”	Temporary Public Vehicle Park for Private Cars for a Period of 3 Years	2.3.2018	(1), (3), (4) to (7), (10), (14) to (16), (22) & (23)
A/YL-PS/561	“V”	Temporary Public Vehicle Park for Private Cars for a Period of 3 Years	6.7.2018	(1), (3), (4) to (7), (12), (14), (16), (17), (22) & (23)

Approval Conditions

- (1) No parking/storage of vehicles without valid licences issued under the Road Traffic Ordinance.
- (2) No (medium or heavy goods vehicle) or parking of (goods) vehicles (exceeding) 5.5 tonnes (or more), (coaches, container vehicles), container tractors and/or trailers.
- (3) Only private cars (and light goods vehicles) are allowed to enter/be parked.
- (4) Posting notice at a prominent location to indicate the types of vehicle allowed to enter/be parked.
- (5) No night time operation.
- (6) No vehicle washing/repairing/dismantling/paint spraying and other workshop uses/activities.
- (7) No vehicle is allowed to queue back to or reverse onto/from public road.
- (8) Posting notice at a prominent location to remind drivers on pedestrian safety on access road.
- (9) Submission and/or implementation of the (accepted) tree preservation and/or landscape proposal(s).
- (10) Maintenance of (existing) landscape planting/vegetation/trees, including replacement of dead plants.
- (11) Submission of tree survey plan and schedule.
- (12) Submission and/or implementation of (accepted) drainage proposal/Drainage Impact Assessment/implementation of flood mitigation measures identified therein.
- (13) Provision of drainage facilities proposed.
- (14) Maintenance of (existing/implemented) drainage facilities.
- (15) Submission of condition record of existing drainage facilities.
- (16) Submission and/or implementation of fire services installations proposal or provision of fire service installations proposed.
- (17) Provision of peripheral/boundary fencing.
- (18) Maintenance of existing peripheral/boundary fencing.
- (19) Provision of paving and fencing.
- (20) Maintenance of (existing) paving and/or fencing.
- (21) A minimum of 3.5m set back from the northern, eastern and southern boundaries.
- (22) Revocation Clauses.
- (23) Reinstatement Clause.

Advisory Clauses

- (a) to resolve any land issue relating to the development with the concerned owner(s) of the Site;
- (b) prior planning permission should have been obtained before commencing the applied use at the Site;
- (c) 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. No permission is given for occupation of government land (GL) (about 5m² subject to verification) included in the Site. Any occupation of GL without Government's prior approval is not allowed. A portion of Lot No. 390 in D.D. 122 is covered by Short Term Waiver (STW) No. 3587 to permit structures erected thereon for the purpose of "Temporary Public Vehicle Park for Private Car and Light Goods Vehicles (not exceeding 5.5 tonnes)". Lot No. 403 RP in D.D. 122 is covered by STW No. 3720 to permit structures erected thereon for the purpose of "Temporary Public Vehicle Park for Private Car and Light Goods Vehicle". Lot No. 392 in D.D. 122 is covered by STW No. 3438 to permit structures erected thereon for the purpose of "Ancillary Use to Public Vehicle Park for Private Cars and Light Goods Vehicles". The Site is accessible to Tsui Sing Road via GL and private land. 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 Site falls within Sheung Cheung Wai Archaeological Site No. AM02-1671. The STW holder(s) should apply to his office for modification of the STW conditions if there is any irregularities on site or to expand the STW area to cover the Site, and the lot owner(s) of the lot(s) without STW will need to apply to his office to permit the structures to be erected or regularise any irregularities on site. Furthermore, the applicant has to either exclude the GL portion from the Site or apply for a formal approval prior to the actual occupation of the GL portion. 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;
- (d) 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 House) are erected on leased land without the approval of the BD, they are unauthorised 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 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 co-ordinator 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;

- (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 surface water flowing from the Site to nearby public roads/drains;
- (g) 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;
- (h) to note the comments of the Director of Fire Services (D of FS) that in consideration of the design/nature of the proposal, FSIs are anticipated to be required. The applicant should 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 Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans; and
- (i) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that due to the nature of the application, precautionary measures such as bollards placed 1m away from the tree trunk at 4m intervals to prevent damage to the trees should be proposed. In consideration of the nature of proposed land use of the application, the applicant may wish to propose other native species of aesthetic or fruiting tree species complementary to the vicinity to replenish the missing trees in lieu of the proposed *Ficus Mircocarpa* that requires considerable aerial and underground space for its canopy and root system. The applicant shall be reminded of the importance of proper tree care. Useful information on general tree maintenance is available for reference in 護養樹木的簡易圖解 (Chinese Version: http://www.greening.gov.hk/filemanager/content/pdf/tree_care/Pictorial_Guide_for_Tree_Maintenance.pdf) published by the GLTM Section, DEVB; and Technical Notes on Submission and Implementation of Landscape Proposal for Compliance with Conditions for Approved Applications for Open Storage and Port Back-up Uses (Chinese Version: http://www.info.gov.hk/tpb/en/forms/Technical_Doc/eng_technicalx20note.pdf) published by the PlanD.